

THE MADRAS LEGISLATIVE ASSEMBLY.

Thursday, 2nd April 1953.

The House met in the Assembly Chamber, Government Estate, Mount Road, at half-past eight of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUGAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

MR. SPEAKER :—“ Questions left over from the agenda of 30th March will be taken up first.”

Statistics supplied to Sri Justice Wanchoo.

* 241 Q.—SRI VAVILALA GOPALAKRISHNAIAH : Will the Hon. the Chief Minister be pleased—

(a) to place on the table of the House the figures supplied by the Government to Sri Justice Wanchoo in connexion with the formation of the Andhra State; and

(b) if not, the reasons for the same?

THE HON. SRI C. RAJAGOPALACHARI :—“ The Government of India have announced their decisions and published the Wanchoo Report and the appendices thereto along with such announcement and they will be placed on the table of the House. This Government is not free to deal with such papers independently.”

SRI VAVILALA GOPALAKRISHNAIAH :—“ ముఖ్య మంత్రిగారు ఇది వరలో ఒక సారి ఆనెంట్స్ లో చూట్టాడుతూ వాంచూ రిపోర్టుమీద post-mortem చేయ దలచుకొలేదని అన్నారు. అయితే ఈ రిపోర్టు కాంగ్రెస్ పార్టీకు కమిటీ సమావేశంలో రాజగోపాలాచారిగారిచేత post-mortem చేయబడినదని వాత ఇక్కడికి వచ్చిందా? అందువలన దానిని post-mortem చేయడం అవసరం అని అన్నారా? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ I have explained the position. The papers will be placed on the table of the House and all hon. Members will have full copies of all the papers, and, when the Bill comes up, there will be a discussion. I have nothing more to add.”

Statement of revenue and expenditure submitted to Sri Justice Wanchoo.

* 242 Q.—SRI M. RAJESWARA RAO : Will the Hon. the Chief Minister be pleased to place on the table of the House a statement of revenue and expenditure of each district during 1951-52 as submitted to Sri Justice Wanchoo?

THE HON. SRI C. RAJAGOPALACHARI :—“ As desired by Sri Justice Wanchoo, the political parties and leaders were given copies of the statement referred to by the hon. Member,

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and they were allowed to use it for the purpose of their representations to Sri Justice Wanchoo, but not for publication. The attention of the hon. Member is invited to the answer given to Starred Question No. 241 (567)."

Report submitted to Sri Justice Wanchoo.

* 243 Q.—SRI M. RAJESWARA RAO : Will the Hon. the Chief Minister be pleased to state—

(a) whether the Government of Madras submitted a report to Sri Justice Wanchoo on the formation of the Andhra State;

(b) if so, the nature of the contents of the report;

(c) whether the Hon. the Minister will be pleased to place on the table of the House the report of the Partition Committee, 1949, appointed to make recommendations on the Andhra State issue;

(d) whether a copy of the report of Sri Justice Wanchoo has been communicated to the Madras Government by the Government of India; and

(e) if so, whether the Government of Madras have examined the said report?

THE HON. SRI C. RAJAGOPALACHARI:—“(a) No, Sir.

“(b) Does not arise.

“(c) The attention of the hon. Member is invited to my answer to Legislative Assembly Question No. 72 (566) given on 19th March 1953.

“(d) & (e) The attention of the hon. Member is invited to my answer to Legislative Assembly Question No. 71 (573) given on 19th March 1953.”

SRI VAVILALA GOPALAKRISHNAIAH:—“అయ్యో, అధిక మంత్రిగారు, ఈ వాంచూ రిపోర్టు ప్రకటించగానే, పార్టిషన్ కమిటీ రిపోర్టును, ఇతర అంశాలను సభ్యులకు ఇస్తామని చెప్పారు. అంతేకాకుండా దాన్ని గురించి Secretariat నుంచి కూడా ఉత్తరము వచ్చిందని మంత్రిగారు చెప్పారు. ఇప్పుడు వాంచూ రిపోర్టు ప్రకటించడం జరిగింది, అది ఇచ్చారు. కనుక పార్టిషన్ కమిటీ రిపోర్టుకూడా ఇస్తారా అని అనుకున్నాను.”

THE HON. SRI C. RAJAGOPALACHARI:—“All the appendices to the Wanchoo report will be also there.”

SRI T. NAGI REDDI:—“Sir, it is really surprising that a Government says that it has not submitted any report to Sri Justice Wanchoo when he came here to enquire into the affairs of partition. Is it because the Government was unable to present a united report or is it because the Government felt that it was unnecessary to give a report, or did the Government give a report individually—I mean, Ministers by themselves—and whatever it is, will the Government be pleased to place every matter connected with the report on the table of the House?”

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THE HON. SRI C. RAJAGOPALACHARI :—“ The Government was not asked to submit any report to Sri Justice Wanchoo and unless the Government is asked to submit a report, it does not submit a report; and we have in fact not submitted any such report. Sri Wanchoo called a number of gentlemen and discussed with them and that is known to the public. There is no report placed by Government before Sri Wanchoo for being given now to hon. Members.”

SRI K. VINAYAKAM :—“ Sir, did the Hon. Ministers constituting the Cabinet give their individual opinion to Sri Justice Wanchoo in the matter of the formation of the Andhra State? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ Those Ministers and other gentlemen who were called by Sri Wanchoo and went and saw Sri Wanchoo have probably told their own personal views to Sri Wanchoo. The Government as such did not direct any particular Minister to give any particular opinion or even ask what their own opinion was. There will be time when the Government will be asked to give their opinion on the Bill and unless they were asked now to frame their own opinion, Government do not think it necessary to do so and they have not done so.”

SRI T. NAGI REDDI :—“ The report does not refer only to any particular matter and it refers to many matters. For example, on the question of finance, whether the Government gave a report or not, it has submitted a statement in reply to the question. In the same way, we want to know whether the Government submitted to Sri Wanchoo any particulars, though not in the form of a report, on the question of services and their division, etc., and will the Government be pleased to place such kind of report or suggestions made to Sri Wanchoo on the table of the House? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ I am trying to supply clear phrases and words where vague words have been used by my friend. Where Sri Wanchoo asked for any figures or facts, the Secretaries have given such figures and facts. There is no question of opinion about it. Figures and facts which were asked for were given to Sri Wanchoo and those figures were used. In regard to the question whether we have been asked for any opinion, I should say, there was no such opinion. As regards appendices, it is better, I submit, hon. Members see the report that will be placed on the table of the House and raise any question they like later on.”

Report given to Sri Justice Wanchoo regarding the administrative machinery.

* 244 Q.—SRI G. RAMA RAO : Will the Hon. the Chief Minister be pleased to state—

(a) whether any report was given by the Government to Sri Justice Wanchoo regarding the separation of administrative machinery in view of the future set up of the Andhra State; and

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(b) whether the Government would place a copy of such report on the table of the House?

THE HON. SRI C. RAJAGOPALACHARI :—“(a) No, Sir.

“(b) Does not arise.”

8-40 a.m. SRI G. RAMA RAO :—“I think the Government are aware of the fact that there is a very low percentage of Andhras in all categories of public services in spite of the existence of the Public Service Commission for the last twenty-five years. May I know, Sir, whether the Government consider it necessary to bring this glaring and wanton injustice done to Telugu people to the notice of Sri Justice Wanchoo to consider it as a special issue?”

MR. SPEAKER :—“The main question is whether any report was given by the Government to Sri Justice Wanchoo. This supplementary question does not arise out of that question.”

SRI T. NAGI REDDI :—“This is a very important question relating to services. I know that Sri Justice Wanchoo asked every person who met him certain questions about the partition of services also. I want to know whether the Government failed to give any suggestions with regard to that.”

MR. SPEAKER :—“Let the hon. Member give notice of a fresh question. I will admit it for answer to-morrow.”

Habitual offenders' settlements.

* 264 Q.—SRI K. KRISHNA RAO : Will the Hon. the Minister for Law be pleased to state whether admission into habitual offenders' settlements is open to men, women and children who volunteer to come in, irrespective of their falling within the category of habitual offenders as defined in the Habitual Offenders' Act; and if so, how many voluntary settlers—men, women and children—there are in the various settlements in the State?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“Admission to the habitual offenders' settlements is not open to all men, women and children who volunteer to reside in the settlement irrespective of their antecedents. The admission as voluntary residents is restricted to—

(a) a discharge settler, or

(b) a member of an ex-notified tribe, or

(c) one related to any one permanently living in the settlement, or

(d) one whose services are required in the settlement such as scavengers, washerman, etc.

“On 23rd January 1953 there were 44 men, 49 women and 38 children who had been admitted into the settlements as voluntary settlers besides discharged settlers who have been allowed to stay in the settlements.”

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SRI PILLALAMARRI VENKATESWARLU :—“ Are the Government aware that in spite of the information given in the answer that the settlers were coming in voluntarily, the police are bringing in persons forcibly and keeping them in the settlements? ”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“ It is not true.”

SRI K. KRISHNA RAO :—“ Is it not a fact that, by allowing voluntary settlers who do not come under the provisions of the Habitual Offenders Act, the Government are circumventing the Act and seeing to it that persons whom the police do not like are simply forced into the settlements? ”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“ The presumption is not correct.”

SRI R. KRISHNAN :—“ Where are these settlements situated, what are the handicrafts taught there and have the Government any statistics regarding habitual offenders? ”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“ There are four settlements. Every year, a report on the administration of the settlements is published. It contains information about the acreage, the number of families, the handicrafts taught, etc.”

DR. K. B. MENON :—“ What are the bases by which admission to these settlements is regulated? ”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“ The Habitual Offenders Act.”

Disafforestation of Allur-Nizampatnam block in Guntur district.

* 265 Q.—SRI V. SRI KRISHNA : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the year in which the Allur-Nizampatnam block in Guntur district was disafforested for assignment;

(b) whether the said land has now been assigned; and

(c) if not, why not?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ (a) In 1945.

“ (b) & (c) In December 1950 these lands were ordered to be assigned to political sufferers, ex-servicemen and landless poor.”

SRI V. SRI KRISHNA :—“ In spite of the fact that orders were issued more than two years ago, the said land has not been assigned, and will the Government see that the land is assigned to the landless poor immediately? ”

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THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Seven hundred and fifteen acres are reserved for the colonization of ex-servicemen and detailed estimates for the scheme were sanctioned on 30th June 1952. Seven hundred and fifty acres are reserved for landless poor. Orders were passed on 20th November 1952 for the registration of a co-operative society for the landless poor of Mithilanagaram village.”

SRI PILLALAMARRI VENKATESWARLU :—“ How many acres were reserved for the political sufferers previously, and how many acres out of the reservation were resumed by the Government as a result of the recent orders, and do the Government propose to take away the lands assigned to political prisoners who have other means of livelihood? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ They are not political prisoners, they are political sufferers. Eight hundred and twenty-two acres were reserved for political sufferers. The land has been more or less equally divided between political sufferers, ex-servicemen and landless poor.”

SRI K. C. GOPALAN UNNI :—“ May I know the total extent disafforested in this block? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Two thousand two hundred and eighty-seven acres.”

SRI V. SRI KRISHNA :—“ In the last session, the Hon. Minister said that the orders issued in December 1950 were cancelled and that priority was given to the landless poor. Now he reports that 822 acres are reserved for political sufferers. How can there be this contradiction? Will the Government see that the land is assigned to the landless poor and ex-servicemen without wasting any more time? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I merely mentioned the manner in which land was ordered to be distributed. With regard to political sufferers, if there are pending cases the assignments will be cancelled. But in cases where patta had already been granted, we cannot help.”

SRI M. VEERABHADRAM :—“ The Hon. Minister made a difference between a political prisoner and a political sufferer. May I know what the difference is? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Let the hon. Member sit quiet and ponder over it for a minute and he will know it.”

SRI V. R. KRISHNA AYYAR :—“ In view of the acute need for reafforestation in our country, will the Government consider the resumption of lands assigned to political prisoners and start reafforestation? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Re-afforestation also is going on. But where a thing is a *fait accompli*, we have no choice.”

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SRI P. VENKATASUBBAYYA :—“ Under what conditions, the Government will agree to deforestation and assignment of the deforested lands? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—
“ It is a general question. If a separate question is put, I will answer.”

SRI T. NAGI REDDI :—“ The Hon. Minister was pleased to say that political sufferers and landless labourers were given equal opportunities in the distribution of land. Does the Hon. Minister think it right to classify landless labourers, who are mostly Harijans, along with political sufferers? Are not political sufferers better off than landless labourers? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—
“ I am sorry a mistake has crept in. I said that the land distributed in the manner I mentioned was more or less equal. Now it is being revised.”

SRI G. LATCHANNA :—“ If a political sufferer becomes unemployed, has no other means of livelihood and becomes a landless poor, will he be treated as a landless poor? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—
“ If a political sufferer becomes a landless poor, under the present policy he can take advantage of his being a landless poor and forget his political suffering.”

SRI V. SRI KRISHNA :—“ There is too much delay in assigning lands to landless poor and in organizing a co-operative society for ex-servicemen. This delay is caused because of lack of co-ordination among the Revenue, Public Works and Co-operative Departments. Will the Government see that the lands are assigned immediately, as the lands are remaining uncultivated for the last five or six years? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—
“ I thought that non-co-operation days were over about two decades ago. But now also there is non-co-operation. With regard to ex-servicemen and landless poor, orders have been passed on the lines indicated by me, and they will be implemented. As regards political sufferers, if there are pending cases, the assignments will be cancelled.”

MR. SPEAKER :—“ Questions pertaining to the Education Department, namely, 266, 267, 270, 274 and 282 will be taken up to-morrow.” 8-50 a.m.

Thumbalam Reserve Forest, Musiri taluk.

* 268 Q.—**SRI S. P. THANGAVELU** : Will the Hon. the Minister for Agriculture be pleased to state—

(a) the annual income derived from Thumbalam Reserve Forest in Musiri taluk;

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(b) the expenditure incurred by the Government for preservation of that forest; and

(c) whether any portion of that forest can be converted into agricultural lands?

THE HON. DR. R. NAGAN GOUDA :—“(a) There is no forest by name Thumbalam Reserve Forest in Musiri taluk. The name of the forest near Thumbalam village is Mavilipatti forest. Annual income derived from this forest is Rs. 540 approximately.

“(b) Rs. 786 on the protective staff of one forest guard and one watcher.

“(c) No, Sir.”

SRI T. LAKSHMINARAYANA REDDI :—“In view of the increasing population will the Government allow people who have deserted their old dwellings in the forest to go and occupy those old places, Sir?”

THE HON. DR. R. NAGAN GOUDA :—“Each individual case will have to be treated separately.”

Government Coir Factory, Beypore.

* 269 Q.—DR. K. B. MENON : Will the Hon. the Minister for Rural Welfare be pleased to state—

(a) whether there was any misappropriation in the Government Coir Factory in Beypore, Malabar;

(b) if there was, what was the amount misappropriated and by whom; and

(c) what steps the Government have taken in the matter?

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—“(a), (b) & (c) There was no misappropriation. But certain irregularities in procedure due to the gross negligence and mismanagement of the Coir Factory by the Superintendent, involving the Government in a loss of about Rs. 16,161 came to light. The Superintendent has been kept under suspension. The question of recovering the loss from him and also of taking disciplinary action against him is engaging the attention of the Government.”

DR. K. B. MENON :—“How did this happen and on what score did it happen, Sir?”

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—“The Superintendent of the Government Coir Factory in Beypore is Syed Muhammad. During a surprise inspection of the factory by the Joint Director of Industries and Commerce in 1949, several irregularities were noticed in the accounts of the factory. Charges were framed against him for the irregularities, his explanation was obtained, and he was warned by the Director of Industries and Commerce

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then. Even after this the Superintendent did not rectify the defects, and committed several irregularities such as delivery of goods before realising the value, credit sales without authority, sale of goods at prices less than the book value, delay in the revision of prices, etc. All these have resulted in the loss mentioned above."

SRI R. SIDDANNA GOWD :—" Sir, what is the period of time covered by the misappropriation and irregularities, and was there no periodical inspection by superior officers? "

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" It is only by a check that they have found out that there have been irregularities."

SRI K. VINAYAKAM :—" Will the Hon. Minister explain why he makes an invidious distinction between the words 'misappropriation' and 'irregularities' resulting in loss to Government to the extent of Rs. 16,000 odd? Is not the latter also misappropriation? "

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" I am very sorry that the hon. Member wants me to explain the words 'misappropriation' and 'mismanagement'. Misappropriation means the money should have been used by him. The money that he has realised by sales should have been used by him for his personal use. Actually here he did not make use of that money. But there were lapses due to negligence as a result of which the money due to the State Government was not realised."

SRI V. V. RAMASAMI :—" Sir, this was found out in 1949. Why was that officer allowed to stay on and commit further irregularities instead of being sent away to some other post? "

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" He was warned some time ago in 1949, and was given a chance to rectify himself. But he did not rectify himself and repeated the same irregularities that he had been committing previously. Hence he has been placed under suspension from 15th May 1952. Suitable action has been taken subsequently."

SRI K. VARADACHARI :—" May I ask, Sir, if there is any arrangement for auditing these accounts by the commercial tax officers? "

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" I am very sorry the hon. Member is making a big mistake. This matter does not come under the control of the Commercial Tax Department at all."

SRI A. APPU :—" Sir, who investigated the case, and was it investigated because of a complaint filed with the police alleging that this man had been selling coir and misappropriating the money to himself, and that he was replenishing the stock from private persons when there were any inspections? "

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THE HON. SRI S. B. P. PATTABHI RAMA RAO :—"The investigation has been made by the Departmental Head, namely, the Director of Industries and Commerce, and his staff."

SRI G. LATCHANNA :—"In view of the fact that the irregularities were found out in 1949 and the suspension was ordered in 1952, was not scope given to the Superintendent to cover up his irregularities?"

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—"I am sorry that the hon. Member did not properly hear my previous reply. In 1949 when irregularities were noticed, he was warned. He was given a chance to improve himself. But unfortunately he did not rectify himself, and so, he was placed under suspension in May 1952."

SRI PILLALAMARRI VENKATESWARLU :—"Sir, when the goods were sold for less than the book value, was it due to the negligence of the Superintendent or was it with the intention to misappropriate?"

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—"It has been verified and found out that he had no intention to misappropriate. Probably there were other reasons like cheap popularity, etc., as the hon. Member knows."

SRI R. SIDDANNA GOWD :—"I have already put the question, and I repeat it now. What is the period covered by this mismanagement or irregularity?"

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—"The mismanagement was first noticed in 1949. As I have said already, he was warned. Subsequently he has been committing the same mistake, and therefore, he was placed under suspension."

SRI T. NAGI REDDI :—"This is a matter of great importance. Between 1949 and 1952 it is three years, and yet the Government seem to be measuring the delay in terms of intentions and non-intentions. Will the Government take up this matter seriously and see that such things do not occur in future? Unless serious action is taken now, are not the Government aware that such things will take place again and again in many Government departments?"

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—"I may remind the hon. Member that this Government was sworn in on 10th April 1952. Action was taken against this Superintendent in May 1952. From this he can measure how strict this Government are in managing their affairs, and how carefully this Government have examined this question and what conclusions they have come to in a short time."

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DR. K. B. MENON :—“ Have the Government realised that the sense of the House is that the Government were not strict enough in dealing with officers who had been found to be irregular, and will the Government remember that and be strict in future? ”

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—“ I may assure my hon. Friend that, as I have already said, this Government are very strict, particularly when lapses of this sort or other serious irregularities are noticed, and they are dealing with them as strictly and strongly as possible.”

SRI S. DEIVASIGAMANY :—“ Was there any allegation 9 a.m. against this officer that he received illegal gratification for committing this irregularity? ”

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—“ It has not come to my notice, Sir.”

Remission of rent in Malabar.

* 271 Q.—SRI M. NARAYANA KURUP : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government have received any representation that the existing provision in the Malabar Tenancy Act relating to remission of rent is inadequate to give relief to the tenants whose crops have been destroyed by general drought this year; and

(b) whether the Government propose to undertake any steps to allow remission of rent in cases of failure of crops due to natural calamities beyond the control of the tenants?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ (a) No.

“ (b) When there is failure of crops, the Revenue Officers will grant remission of assessment in deserving cases after azmoish. Under section 29-B of the Malabar Tenancy Act, whenever for any reason the whole or any part of the assessment payable in respect of any land for any period is remitted by the State Government, the landlord shall be bound to remit the whole or a proportionate part of the rent due to him from his tenant in respect of that land for that period. No separate action by the Government is therefore necessary for the remission of rent.”

SRI M. NARAYANA KURUP :—“ Section 29 of the Malabar Tenancy Act allows only abatement of rent in cases where revenue is remitted and it is known that, under the Standing Orders of the Board of Revenue, no revenue is remitted in cases of double crop lands where the second crop or one of the crops fails. Therefore, will the Government introduce legislation for the relief of the tenants in cases where one crop fails though no revenue is remitted? ”

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THE HON. SRI M. A. MANICKAVELU NAICKER :—“ The Hon. the Law Minister is busy with an Amending Bill for the Malabar Tenancy Act and it is likely that he will bring it here at any moment. So, let us await it.”

SRI P. K. GOPALAKRISHNAN :—“ In the Amending Bill that has been circulated to us, no provision has been made to amend this particular provision. Therefore, will the Government consider the question of amending this provision? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Let the Bill be introduced. We will then know whether it contains such a provision or not.”

SRI K. MADHAVAN NAMBIAR :—“ Have the Government any statistics of cases filed against the tenants whose crops have failed and who are unable to pay the rent due? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ In general cases, the Board Standing Orders apply.”

SRI P. PUNDARIKAKSHACHARYULU :—“ What is the policy of the Government when water is not supplied to compounded double crop lands for the second crop? ”

Expenditure on rent reduction in Malabar.

* 272 Q.—SRI V. BALAKRISHNAN : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the expenditure incurred in the special work of rent reduction in Malabar last year and this year; and

(b) the different categories of the personnel employed?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ (a) Rs. 966 in 1951-52 and Rs. 2,51,446 in 1952-53.

“ (b) 1 Rent Settlement Officer.

12 Rent Settlement Authorities.

45 Rent Settlement Tahsildars.

2 Rent Settlement Deputy Tahsildars.

119 Revenue Inspectors.

48 Upper Division clerks.

106 Lower Division clerks.

10 Steno-typists.

32 Typists.

242 Peons.

30 Masalchis.

214 Assistant Menons.”

SRI V. BALAKRISHNAN :—“ What has been the result of incurring this heavy expenditure? ”

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THE HON. SRI M. A. MANICKAVELU NAICKER :—“ We have now stopped it and disbanded the staff in view of the impending introduction of the Malabar Tenancy (Amendment) Bill.”

SRI V. R. KRISHNA AYYAR :—“ Is the Hon. Minister aware that there were a number of complaints that it was not really rent reduction but rent enhancement that these officers made? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I am not aware of it, Sir.”

SRI PILLALAMARRI VENKATESWARLU :—“ May I know how much money was lost on account of this staff as their work is going to be a waste? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ It is not going to be wasted. The statistics are there and they will be useful when we go into the matter again.”

SRI V. R. KRISHNA AYYAR :—“ Is the Hon. Minister aware that the personnel on whom Rs. 2 lakhs and odd were spent were really—people in the top cadre especially—extracted from Andhra and Tamil Nad and that they did not know anything about the Malabar tenure? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ An I.C.S. officer from England comes here and masters the local tenure much better than some of us. Like that, these people also could master the Malabar tenure.” (Laughter.)

SRI V. BALAKRISHNAN :—“ What was the primary object with which this expenditure was incurred? Has that object been now achieved? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ The object was to fix the fair rent and preparation was made for that. Meanwhile, certain other factors have crept in and there is an Amending Bill to be introduced.”

Price of rice in South Kanara district.

* 273 Q.—SRI T. ANANTHA PAI (on behalf of Sri Y. Manjaya Shetty) : Will the Hon. the Minister for Finance be pleased to state what steps the Government have taken to check the soaring price of rice in South Kanara district?

THE HON. SRI C. SUBRAMANIAM :—“ South Kanara district except Hosdrug sub-taluk is more or less a self-sufficient one. Hence, the levy system of procurement in this district has been abolished. Informal rationing has been continued in Hosdrug sub-taluk which is a deficit area and 6 ounces of rice and 6 ounces of millets and/or wheat are being issued in this area through ration shops. Four ounces of rice and 6 ounces of millet and/or wheat are issued in ex-statutory rationed areas of the district. In the rural areas 10 ounces of millet are issued. South Kanara (except Hosdrug sub-taluk) has been formed into a separate zone and no stocks of rice or

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paddy are allowed to be transported out of the district without a permit. During February 1953, 178 ration and fair price shops were functioning in the district. The Collector of South Kanara has already been instructed to adopt one or more of the following steps in order to check the rise in the price of rice in open market :—

- (1) to be on the watch to find out cases of cornering of stock by merchants;
- (2) to open fair price shops in areas where prices show a tendency to rise abnormally; and
- (3) to ensure that all fair price shops keep adequate stocks for issue to the consumers.

On a reference from the Collector of South Kanara, the Board of Revenue (Civil Supplies) has accepted the suggestion of the Collector to instruct the Commercial Tax Officer to severely restrict the number of licences granted under the Foodgrains (Licensing and Procurement) Order, 1952, in the strategic areas in order to prevent smuggling of rice. The Collector has also been asked to take action to requisition, in suitable cases, stocks under clause 10 of the abovesaid order."

SRI T. ANANTHA PAI :—" Did the Government permit any export of rice to Amindivi Islands from South Kanara recently and, if so, what quantity was permitted to be exported? "

THE HON. SRI C. SUBRAMANIAM :—" I do not think any such permit was granted. If any instances are brought to my notice, I shall have the matter examined."

SRI T. ANANTHA PAI :—" What steps have the Government taken to prevent smuggling of rice to Goa from Coondapoor taluk? "

THE HON. SRI C. SUBRAMANIAM :—" Sufficient anti-smuggling squad has been posted there to prevent smuggling."

SRI V. R. KRISHNA AYYAR :—" Have the Government any proposal to abolish the zonal system? "

THE HON. SRI C. SUBRAMANIAM :—" Not at present, Sir."

SRI M. NARAYANA NAMBIAR :—" Will the Government enhance the quantity of 4 ounces of rice distributed through fair price shops with a view to check the rise in price? "

THE HON. SRI C. SUBRAMANIAM :—" We shall consider it after one or two months when the lean months begin."

SRI S. DEIVASIGAMANY :—" What is the present market rate per measure of rice in South Kanara? "

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THE HON. SRI C. SUBRAMANIAM :—“ I don't have the figures here. If the hon. Member is interested, I am prepared to give the particulars later.”

Reconstruction of the bridges in Payyannoor firka, North Malabar.

* 275 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that the bridges at Vatavanthoor and Karimkiel in Payyannoor firka, North Malabar, have completely broken down, and if so, for how long; and

(b) the steps taken so far by the Government either to repair or to put fresh bridges at these places?

THE HON. SRI N. SANKARA REDDI :—“ (a) The wooden deck of the bridge at Vatavanthoor broke down a month back under the weight of unauthorised lorry traffic. The two bridges at Karimkiel are in a fair condition for light traffic.

“ (b) The Malabar District Board has taken up the work of renewing the whole deck of Vatavanthoor bridge. The work of reconstructing the two bridges at Karimkiel has been sanctioned for execution under the Post-war Road Development Programme. The works will be taken up by the Malabar District Board during 1953-54 if funds become available.”

SRI K. P. GOPALAN :—“ Are the Government aware that when the rainy season comes the whole traffic will be paralysed with unfordable streams impeding all traffic? If so, will they expedite the construction of the bridges before June? ”

THE HON. SRI N. SANKARA REDDI :—“ It is recognized that this road is a very important road, but masonry bridges cost more than Rs. 2.3 lakhs. I think necessary steps are being taken to have masonry bridges.”

SRI V. R. KRISHNA AYYAR :—“ In view of the fact that bridges are rather important and in view of the fact that the Malabar District Board is notoriously bankrupt in its finances, if the expectation of the Minister that the finances of the district are likely to improve during the year 1953-54 does not come to pass, will the Government consider the question of executing the construction of bridges themselves? ” 9-10 a.m.

THE HON. SRI N. SANKARA REDDI :—“ These works may be included in the Five-year Plan so that both the Government and the District Board may aid their execution.”

Statistics re the amount of water flowing into the Arabian sea from Malabar.

* 276 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Public Works be pleased to state whether the Public Works

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Department have taken any statistics regarding the amount of water flowing into the Arabian sea as waste during the heavy rains and floods in Malabar?

THE HON. SRI N. RANGA REDDI :—“ The answer is in the negative.”

SRI K. P. GOPALAN :—“ Do the Government get any statistics about loss due to soil erosion due to the rivers not being harnessed for irrigation purposes? ”

THE HON. SRI N. RANGA REDDI :—“ This does not arise from the present question.”

Construction of roads and bridges in Wynaad under Vipan Scheme.

* 277 Q.—

MR. SPEAKER :—“ As the hon. Member Sri M. K. Padmaprabha Gounder is not in his place, the question and answer will be printed in the proceedings.”

SRI M. K. PADMAPRABHA GOUNDER : Will the Hon. the Minister for Public Works be pleased to state the number of roads and bridges in Wynaad, recommended to be constructed under the Vipan Scheme and how many of them have actually been constructed to date?

THE HON. SRI N. RANGA REDDI :—“ A bridge across Panamaram Puzha in Manantoddy-Panamaram-Vayitri road and a bridge across Manantoddy Puzha on the same road. Neither work has been executed.”

Reconstruction of the Kunnath bridge across Mampuzha river, Malabar.

* 278 Q.—SRI A. APPU : Will the Hon. the Minister for Local Administration be pleased to state—

(a) how long the Kunnath bridge across the Mampuzha river in Kozhikode taluk has been in a state of disrepair; and

(b) whether there is any proposal to reconstruct this bridge or repair it?

THE HON. SRI N. SANKARA REDDI :—“ (a) The bridge, which is a wooden one, is being maintained in a fair condition.

“ (b) The work of reconstructing the bridge at the place is included in the Five-year Plan of Post-war Road Development and it will be taken up for execution in due course.”

SRI A. APPU :—“ May I know the probable date by which this work will be taken up? It is a very important bridge and if the Government have not got funds, will the general public be allowed to repair it at least?”

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THE HON. SRI N. SANKARA REDDI :—“Any contribution or help from the public will be welcome but no definite date can be given now.”

Varaganadhi Reservoir.

* 279 Q.—SRI K. ARANGANATHAN : Will the Hon. the Minister for Public Works be pleased to state when the work of the Varaganadhi reservoir will be taken up?

THE HON. SRI N. RANGA REDDI :—“Gauging of the river flows will have to be taken over a period of years before any scheme can be formulated.”

Uniforms to the drivers and conductors of Government Bus Transport.

* 280 Q.—SRI S. RAMALINGAM : Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) the number of sets of dresses that are supplied to the drivers and conductors working in the Government Transport Buses per year;

(b) when the last supply was made; and

(c) whether the new supplies will be in Khadi or in handloom cloth?

THE HON. DR. U. KRISHNA RAO :—“(a) Two sets of uniforms are supplied annually to the drivers and conductors working in the Government Bus Service.

“(b) The last supply was made during the period March to September 1951. The supply due for 1952 commenced in December and is expected to be completed before the end of March 1953.

“(c) The new uniforms are supplied from jail-made cloth.”

SRI S. RAMALINGAM :—“Will the Government consider the question of supplying uniforms in handloom cloth?”

THE HON. DR. U. KRISHNA RAO :—“The jail cloth is a variety of handloom cloth.”

SRI S. DEIVASIGAMANY :—“Are the Government aware that the drivers and conductors are not wearing uniforms to-day?”

THE HON. DR. U. KRISHNA RAO :—“Conductors have been supplied with uniforms already and drivers will be supplied in another month.”

SRI M. KALYANASUNDARAM :—“From the reply given by the Hon. the Minister, it appears that the supply due for 1952 has not been made. Will it be made this year in the account of 1952 or will it be taken over to the account of 1953?”

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THE HON. DR. U. KRISHNA RAO :—“ I presume the supply has already started in November and it naturally will have to be debited to the 1952 account.”

SRI S. RAMALINGAM :—“ Will the supplies for the year 1953 be made in the year 1953 itself or will be continued in 1954 also? ”

THE HON. DR. U. KRISHNA RAO :—“ I hope to complete the supplies in 1953.”

SRI V. BALAKRISHNAN :—“ Will the uniform of drivers be recast so as to make it attractive? ”

THE HON. DR. U. KRISHNA RAO :—“ The general impression is that the present uniform is very attractive.”

SRI K. VINAYAKAM :—“ At present the uniforms offered to conductors and drivers are supplied in a wholesale fashion. They are all cut to one size and supplied to them which when worn look very embarrassing for the drivers and conductors. Will the Government, therefore, consider the desirability of supplying only cloth to them and pay them stitching charges so that they may cut the cloth according to their sizes and wear the uniforms tidily? ”

THE HON. DR. U. KRISHNA RAO :—“ The Government consider that the method of supplying uniforms as at present would be more economical than what the hon. Member suggests.”

SRI M. KALYANASUNDARAM :—“ Is there not a representation from the staff that they should be supplied with only cloth and that they are prepared even to forgo the stitching charges? They are prepared to pay the charges themselves instead of subjecting themselves to this inconvenience.”

THE HON. DR. U. KRISHNA RAO :—“ I am not aware of any representation.”

Field labour co-operative societies, Guntur district.

* 281 Q.—SRI C. SUBBARAYUDU (on behalf of Sri Pragada Kotaiah) : Will the Hon. the Minister for Co-operation be pleased to state—

(a) the number of co-operative tenants', field labour and depressed classes' societies working in both Guntur and Bapatla Circles in Guntur district;

(b) the total acreage of lands given on lease for temporary cultivation to the societies;

(c) whether the Government intend to assign those lands to the societies and, if so, the action taken thereon; and

(d) whether it is a fact that the Deputy Registrar of Co-operative Societies, Bapatla, in his letter, dated 21st November 1951, has requested the Government to appoint special staff for the

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effective supervision of the tenants', field labour and depressed classes' societies and, if so, what are the details of his proposal and the action taken thereon by the Government?

THE HON. SRI D. SANJIVAYYA :—“(a) The number of societies as on 30th June 1952 were as follows :—

Guntur Circle.

Tenants' societies (otherwise known as field labour co-operative societies)	68
Scheduled class societies	104

Bapatla Circle.

Tenants' societies	109
Scheduled class societies	189

“(b) Total extent of lands given on lease for temporary cultivation of tenants' co-operative societies as on 30th June 1952 were—

	ACS.
Guntur Circle	9,132
Bapatla Circle	10,141

“(c) The answer is in the negative.

“(d) In his letter, dated 17th November 1951, addressed to the Registrar of Co-operative Societies, the Deputy Registrar of Co-operative Societies, Bapatla, proposed the appointment of one Co-operative Sub-Registrar and eight Senior Inspectors for a period of three years for the supervision of 126 tenants' societies in his circle. The Registrar did not send the proposals to Government as he was not convinced of the need for the staff. He has promised to come up to Government with detailed proposals if he finds it necessary to appoint a special staff.”

SRI S. NARAYANAPPA :—“May I know whether the Government are going to finance these tenants' co-operative societies also?”

THE HON. SRI D. SANJIVAYYA :—“Certainly, Sir.”

SRI P. VENKATASUBBAYYA :—“May I know what is the ratio in division of agricultural income between the tenant member and the society and whether there is any bearing in this regard on the share capital paid by the members and the quantum of labour put forth by the members?”

THE HON. SRI D. SANJIVAYYA :—“I would like to have notice.”

SRI G. LATCHANNA :—“Why is it not possible for the Government to encourage the starting of such societies in other

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districts? Is it not desirable for the Government to take the initiative of advocating the growth of such societies in all places with the help of their officials?"

THE HON. SRI D. SANJIVAYYA :—"Certainly, we have instructed all officials to take interest and to see that such societies are organized in all the other districts too."

SRI M. HANUMANTHA RAO :—"Sir, in view of the fact that at every time these lands are leased out, the poor members of the co-operative societies are subjected to evil influences, will the Government see that these lands are permanently assigned to the cultivators?"

THE HON. SRI D. SANJIVAYYA :—"No, Sir. That question was considered some time ago and it was decided not to assign these lands either permanently or on long-term lease of 10 to 20 years. This was on account of the fact that we have the Board's Standing Orders, according to 15-A of which, the period for which such temporary occupation is sanctioned should be based on the necessity of the Government taking over lands whenever they are required."

SRI G. JOSEPH :—"ఈ Tenants' Co-operative Societies క్రింద ఉన్నటువంటి భూములను ప్రతి సంవత్సరం lease కు ఇచ్చే విషయంలో కరణాలకు లంచాలు ఇవ్వకపోయినట్లయితే వారు ఒక సొసైటీ క్రింద ఉన్నటువంటి భూమిని మరొక సొసైటీకి మారుస్తున్నారు. కనుక వాటికి పట్టాలు ఇచ్చే విషయములా ప్రభుత్వము ఏమి ఆలోచిస్తున్నది?"

THE HON. SRI D. SANJIVAYYA :—"Tenants' Co-operative Societies కు పట్టాలు యిచ్చే విషయముగురించి ఇదివరలో ఒక ప్రశ్నకు ఇచ్చినటువంటి సమాధానములో తెలిపబడినది. గౌరవ సభ్యులు ఆ సమాధానము వినియుండినట్లయితే తెలిసియుండెడిది. కాని కరణాలుగాని, తదితర అధికారులుగాని ఈలాటి అన్యాయాలు ఎక్కడైనా చేస్తున్నట్లయితే వాటిని ప్రభుత్వవ్యప్టికి తీసుకొనివచ్చినట్లయితే, ప్రభుత్వము వాటిమీద చర్య తీసుకొంటుంది."

SRI D. LAKSHMAYYA :—"ఈ సొసైటీలను నిజస్రేష్ఠుల చేసే విషయంలో గుంటూరు డిప్యూటీ రిజిస్ట్రారు అక్రమాలు చేశారని మీలేమైన complaints వచ్చాయా? అలా వచ్చియున్నట్లయితే, వాటిమీద ఏమి చర్య తీసుకొంటున్నాడు?"

THE HON. SRI D. SANJIVAYYA :—"ఇంతవరకు ఆలాంటి complaints ఏదీ ప్రభుత్వానికి రాలేదు. ఇకముందు ఏదైనా complaints వస్తే, ప్రభుత్వము తప్పకుండా వాటిమీద చర్య తీసుకొంటుంది."

SRI C. V. K. RAO :—"Sir, what is the period of temporary assignment?"

THE HON. SRI D. SANJIVAYYA :—"It will be for one year, I think."

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SRI VAVILALA GOPALAKRISHNAIAH :—“ ఈ Tenants' Co-operative Societies రిజిస్టరుచేసే విషయంలో, Co-operative department వారు పాలము ఉంటే సేగాని రిజిస్టరు చేయడానికి వీలులేదని అంటారు. రివిన్యూ డిపార్టుమెంటువారిని పాలము ఇవ్వని అడిగితే, co-operative society ని రిజిస్టరు చేసుకోవడమే, ఇస్తామని అంటున్నారు. ఈ విధంగా జరుగుతూఉంటే, దీనికేమైనా అంత ఇన్నాదా, ఏ విధంగా ఈ సొసైటీలు రిజిస్టరుకావడం అని అడుగుతున్నాను. కనుక మొట్టమొదట co-operative society లు రిజిస్ట్రేషన్ చేసి, వాటికి ఖాతాలు ఇచ్చుటకు ప్రభుత్వము ఆలోచించి, ఆ విధంగా ఉత్తర్వులు ఇవ్వగలరా? ”

THE HON. SRI D. SANJIVAYYA :—“ ఈయనంటి విషయాలు ఇది వరలో ప్రభుత్వ దృష్టికి వచ్చాయి. వాటినిగురించి ఇదివరలో ఒక నిర్ణయము గూడ జరిగింది. ఈ tenants' co-operative societies విషయము వచ్చినప్పుడు, కలెక్టరు, డిప్యూటీ రిజిస్ట్రారు ఇద్దరుచేరి ఒక విధమైనటువంటి రిపోర్టు నానికి వచ్చి, ఆ విధంగా proposals పంపించవలసిన ఉత్తర్వులు పంపించాము.”

SRI K. R. SAMBANDAM :—“ In view of the importance of the tenants' co-operative societies, how long will Government take to extend such societies to other districts like Tanjore and others? ”

THE HON. SRI D. SANJIVAYYA :—“ There is no question of extending it, Sir, to other districts. It is already there. If hon. Members can organize such societies and if they approach the department concerned, we can have such societies in other districts.”

SRI T. ANANTHA PAI :—“ Sir, will you please ask the Hon. Minister to answer the questions in English? ”

SRI PILLALAMARRI VENKATESWARLU :—“ May I know what objection the Government have to allow the co-operative societies to be formed in anticipation of lands becoming available? ”

THE HON. SRI D. SANJIVAYYA :—“ Sir, without the lands I do not think any purpose will be served if co-operative societies are formed.”

SRI G. NAGESHWARA RAO :—“ ఆ ర్యా, ఇప్పుడు labour societies వాలాకాలముగా సాగు చేస్తున్నటువంటి లంకఘాములను ప్రభుత్వము ఈ రోజున సాగుతున్నట్టి వాటిని ఘాస్యాములకు కట్టపెడుతున్నారని. అది అన్యాయముకాదా అని అడుగుతున్నాను? అందుచేత, ఈ విధంగా చేయకుండా, ఆ లంకఘాములను labour societies కే ఇవ్వడానికి ప్రభుత్వము ఆలోచిస్తుందా? ”

THE HON. SRI D. SANJIVAYYA :—“ ఈ లంకఘాములను సాగుచేస్తున్నటువంటి సొసైటీలు సరిగా సకాలమునకు ప్రభుత్వమునకు చెల్లించవలసినటువంటి టుత్తుమును చెల్లించని కారణమున, వాటికి అవి ఇవ్వడములేదు.”

SRI G. BAPANAYYA :—“ ఈ సొసైటీలకు ఘామి లేకపోయిననూ, రిజిస్ట్రేషన్ చేస్తే, అప్పులు తీసుకోడానికిని ఇతర విధంగాగూడ ఈ సొసైటీలు ఉపయోగపడుతాయి. కనుక, ఘామి లేకపోయిననూ, ఈ సొసైటీలను రిజిస్టరుచేసే విషయము మరిగారు ఆలోచిస్తారా? ”

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THE HON. SRI D. SANJIVAYYA :—“ భూమిలే హోలే, ఆ సొసైటీలను credit societies గా register చేయవచ్చునుగాని, tenants' co-operative societies గా చేయడానికి ఏమిలేదు.”

SRI SAKA VENKATA RAO :—“ సకాలములూ గవర్నమెంటుకు పన్నులు చెల్లించుచున్నటువంటి సొసైటీల లంకభూములను, ఇంకా lease 2 సంవత్సరములున్నటువంటి వాటిని, అన్యాయంగా తీసుకొని భూస్వాములకు వేలములూ ఇచ్చి వేశారు. కనుక ఇప్పుడు మంత్రిగారు సమాధానములూ సకాలములూ పన్నులు చెల్లించని కారణమున ఆ సొసైటీలకు భూములను ఇవ్వడంలేదని చెప్పడం సరియైనది కాదు. సొసైటీలు సకాలములూ పన్నులు చెల్లించడంలేదని చెప్పటం నిజము కాదు. కనుక అరకంగా వాటకు పెట్టి భూస్వాములకు ఇచ్చినటువంటి లంకభూములను తిరిగి ఆ సొసైటీలకు ఇచ్చేటట్లు చేయగలరా? ”

THE HON. SRI D. SANJIVAYYA :—“ వివేచనా సొసైటీలు, విలాపి mischief చేయకుండా సరిగా పన్నులు చెల్లి స్వాయంభీకూడ, వాటికి భూములు ఇవ్వకుండానే క్లెయిమ్ చేసి, అటువంటి వాటిని నాదృష్టికి తీసికొనివచ్చినట్లయితే, నేను తప్పుకుండా వాటిమీద చర్య తీసుకొంటాను.”

Reorganization of Municipal Administration.

* 283 Q.—**SRI C. V. K. RAO :** Will the Hon. the Minister for Local Administration be pleased—

(a) to lay on the table of the House the Report of the Committee constituted in G.O. Ms. No. 2313, L.A., dated the 11th November 1949, in respect of the Municipal Administration in the State; and

(b) to state whether the Government have taken any steps to implement the Committee's recommendations (*see Assembly Debates, Volume II, No. 2, dated the 28th June 1952*)?

THE HON. SRI N. SANKARA REDDI :—“ (a) The Report of the Advisory Committee for Reorganization of Municipal Administration is treated as confidential at present. It is not, therefore, possible to place it before the House now.

(b) Government are still considering the report and will take some more time to take decisions on the recommendations contained in it.”

SRI C. V. K. RAO :—“ Why is it confidential, Sir? Is it because that some of the recommendations made are not to the taste of the Government? ”

THE HON. SRI N. SANKARA REDDI :—“ Every report is considered to be confidential unless Government decide to place it on the table of the House. This report was considered to be confidential by the previous Government and so it continues to be confidential.”

SRI V. V. RAMASAMI :—“ May I know whether the Government would come to a decision before the next general elections are held for the municipalities? ”

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THE HON. SRI N. SANKARA REDDI :—“ Sir, at present very important problems are engaging the attention of the Government and so I cannot say definitely when the consideration will be over.”

SRI T. C. NARAYANA NAMBIAR :—“ Sir, the Hon. Minister said that the previous Government considered the report as confidential. Has the Hon. Minister analysed the factors that brought defeat to most of the members of the previous Government? It was because that Government were not taking the people into their confidence. As such will the Hon. Minister be pleased to take this House now into confidence and place the report on the table of the House? ”

THE HON. SRI N. SANKARA REDDI :—“ Sir, a proper enquiry was made and the public were taken into confidence and the report is there before the Government.”

SRI M. KALYANASUNDARAM :—“ Will that report ever remain confidential or will the Hon. Minister be pleased to remove the iron curtain now drawn over it? ”

THE HON. SRI N. SANKARA REDDI :—“ It won't be confidential for ever.”

SRI V. V. RAMASAMI :—“ Since there are some pressing problems before the Government now, may I take it that the Government will not ultimately shelve it? ”

THE HON. SRI N. SANKARA REDDI :—“ It is not the intention of the Government to shelve it permanently.”

SRI VAVILALA GOPALAKRISHNAIAH :—“ ఆయన, అంధ్ర రాష్ట్రము విడిపోయేలోగా నైనా ఆ కమిటీయొక్క రిపోర్టును ప్రకటిస్తారా? ”

THE HON. SRI N. SANKARA REDDI :—“ Sir, I cannot give any definite answer now.”

SRI S. NARAYANAPPA :—“ Are the Government going to constitute a committee to suggest alterations in the existing rules and regulations concerning the administration of municipalities? ”

THE HON. SRI N. SANKARA REDDI :—“ No new committee will be necessary. There is already a report of the committee that went into the matter.”

SRI T. ANANTHA PAI :—“ Sir, the Hon. Minister made a statement that local bodies will be allowed to raise loans. Will this permission be given to all municipalities as a matter of policy? ”

MR. SPEAKER :—“ A separate question may be put.”

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UNSTARRED QUESTIONS.*State-aided concerns.*

38 Q.—SRI M. NARAYANA KURUP: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether any industrial concerns which have received State aid have defaulted in payment of their dues and, if so, from what time; and

(b) the steps taken by the Government to recover the dues?

A.—(a) & (b) A statement* showing the State-aided concerns which have defaulted in payment of their dues, the dates of default and the steps taken to recover the dues is appended.

Co-operative House Building Societies.

39 Q.—SRI PRAGADA KOTAIAH: Will the Hon. the Minister for Co-operation be pleased to state—

(a) what are the main objects of Government in encouraging the formation of Co-operative House Building Societies;

(b) the number of such co-operative societies now at work in Guntur district;

(c) the total number of members in those societies and how many of the members are in fact homeless;

(d) the number of loans sanctioned and the amounts actually disbursed to those societies by the Government; and

(e) how many houses were already built and how many are under construction?

A.—(a) The main object of the Government in encouraging the formation of co-operative house building societies is to relieve the shortage of housing accommodation particularly in urban areas.

(b) There are 21 co-operative housing societies in the Guntur district.

(c) The total number of members in these societies as on 31st December 1952 were 1,851. None of them are homeless (i.e., persons who do not live in houses but use the streets and open spaces as their dwelling place); for, homeless persons will not be able to repay the loans advanced by Government. But 404 persons do not own houses of their own.

(d) One hundred and thirty-six loans were sanctioned to these housing societies for the years 1950, 1951 and 1952. During this period, Rs. 14,51,100 were actually drawn and disbursed to them.

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- (e) The number of houses constructed from 1947 to 1952 was 188. One hundred and eighty-seven houses were in different stages of construction on 31st December 1952.

Representations from the Workers' Union at Machkund.

40 Q.—SRI K. GOVINDA RAO : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether any representation was received recently by the Government from the Workers' Union at Machkund;

(b) what are the main grievances of the workmen at Machkund; and

(c) whether the Government propose to meet these demands and to what extent?

A.—(a) No.

(b) & (c) Do not arise.

Admission into the Medical Colleges.

41. Q.—SRI M. RAJESWARA RAO : Will the Hon. the Minister for Health be pleased to state—

(a) the number of students admitted into the Medical Colleges controlled by the State from West Godavari district during the years 1946–53; and

(b) how many of them are (i) Harijans, (ii) Christian converts and (iii) others?

A.—(a) & (b) A statement^a is laid on the table of the House.

Extent of cultivated lands in Polavaram and Kovvur taluks.

42 Q.—SRI M. RAJESWARA RAO : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the total extent of cultivated land in (i) Polavaram and (ii) Kovvur taluks of West Godavari district;

(b) the total extent of cultivable waste land;

(c) the total extent of uncultivable waste land; and

(d) the total extent of Government forest in each of the above two taluks?

A.—(a) to (d) The information is not available with the Government.

Repairs to the Kankanampad tank, Nellore district.

43 Q.—SRI G. YELLAMANDA REDDY : Will the Hon. the Minister for Land Revenue be pleased to state whether the estimates for repairs of the tank of Kankanampad, Kanigiri taluk, Nellore district, are prepared and, if so, when the work will be taken up?

^a Printed as Appendix II on page 818 infra.

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A.—The estimate for the work is ready for sanction and it will be considered as soon as the Government of India's sanction of loan for a special Minor Irrigation Programme in which the work is included, is received.

Veterinary and Livestock Schemes.

44 Q.—SRI K. KRISHNA RAO : Will the Hon. the Minister for Agriculture be pleased to state the Veterinary and Livestock Schemes that were taken up and are now being worked by the State Government?

A.—The Livestock and Veterinary Schemes that are being worked by the State Government are mentioned in the Annual Administration Report of the Animal Husbandry department, copies of which are supplied to Members of Legislature. The Member may kindly refer to the Report for the information required by him.

Contributions under the Madras Public Libraries Act, 1948.

45 Q.—SRI K. KRISHNA RAO : Will the Hon. the Minister for Education be pleased to state the amount of contribution made to each of the local library authorities under section 13 (3) of the Madras Public Libraries Act in 1951-52 and 1952-53?

A.—The information required is furnished in the statement below :—

Statement.

Name of the Local Library Authority.	Contribution sanctioned under section 13 (3) of the Madras Public Libraries Act, 1948, in			
	1951-52.		1952-53.	
	RS.	A.	RS.	A.
1 Srikakulam	8,000	0	4,876	7
2 Visakhapatnam	8,000	0	32,995	7
3 East Godavari	8,000	0	46,808	15
4 West Godavari	8,000	0	16,224	11
5 Krishna	..	..	8,975	13
6 Guntur	..	..	25,909	9
7 Cuddapah	8,000	0	735	15
8 Kurnool	8,000	0	1,442	14
9 Anantapur	8,000	0	5,900	13
10 Bellary	15,001	8	3,907	8
11 Nellore	8,671	10	9,165	14
12 Chittoor	..	..	13,951	2
13 Chingleput	8,000	0	27,211	3
14 North Arcot	6,522	5	25,349	15

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Name of the Local Library
Authority.

Contribution sanctioned under
section 13 (3) of the Madras
Public Libraries
Act, 1948, in

	1951-52.		1952-53.	
	RS.	A.	RS.	A.
15 South Arcot — — —	17,966	14	4,486	9
16 Tanjore —	18,184	0	47,997	12
17 Tiruchirappalli	8,000	0	14,095	5
18 Madurai	8,000	0	41,805	2
19 Ramanathapuram	8,000	0	54,617	6
20 Tirunelveli	10,896	5	15,923	7
21 Salem	8,000	0	45,817	8
22 Coimbatore	39,751	5	1,27,902	11
23 The Nilgiris	8,000	0	13,387	14
24 Malabar	32,521	11	27,712	15
25 South Kanara	18,184	0	29,330	7

Habitual offenders' settlements.

46 Q.—SRI K. KRISHNA RAO : Will the Hon. the Minister for Law be pleased to state—

(a) the reasons for keeping such a large number of habitual offenders at Stuartpuram Settlement under the Salvation Army, while all other settlements are managed by the Government through their own officers;

(b) how many persons from the habitual offenders' settlements at Stuartpuram were employed in the I.L.T.D. Factory at Chirala (men, women and children) daily on an average from February to November 1952;

(c) what percentage of the total workers employed by the I.L.T.D. Factory, Chirala, were drawn from the Stuartpuram Habitual Offenders' Settlement in 1952; and

(d) what is the daily wage, hours of work daily in the I.L.T.D. Factory, Chirala, in the case of (i) free labour recruited from outside; and (ii) labour provided by the habitual offenders' settlement at Stuartpuram?

A.—(a) The reason for keeping such large numbers of settlers in the Stuartpuram Settlement is that on the abolition of settlements at Bhumanagadda, Bitragunta, etc., a large number of settlers were transferred to the Stuartpuram Settlement. In addition to this about 100 families of settlers from the Sithanagaram Settlement also were transferred to this settlement for providing better facilities for cultivation. The Stuartpuram Settlement was opened by the Salvation Army in 1914 and it was not found necessary in the past to change the management.

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(b) Nine hundred and forty settlers (493 men and 447 women and no children) were employed in the I.L.T.D. Factory at Chirala on an average from February to November 1952.

(c) About 21 per cent of the workers employed by the factory were drawn from this settlement in the year 1952.

(d) The daily wages and hours of work are the same for all labourers recruited from out side the settlement or from inside. Women work from 7 a.m. to 12 noon, and from 2 p.m. to 5 p.m. Men work in two shifts, viz., (i) from 6 a.m. to 11 a.m. and 12 noon to 3 p.m. and (ii) from 3 p.m. to 8 p.m. and 9 p.m. to 12 mid-night. The daily wages amount to Rs. 2-8-0 approximately.

Duties of the Economic Adviser to Government.

47 Q.—SRI K. KRISHNA RAO : Will the Hon. the Chief Minister be pleased to state the list of problems the Economic Adviser to the Government and the officers under him are engaged in investigating?

A.—The list^a asked for is laid on the table of the House.

Dailies to which Government advertisements are sent for publication.

48 Q.—SRI K. KRISHNA RAO : Will the Hon. the Minister for Education be pleased to state—

(a) the names of the dailies to which the advertisements of the various departments of the State Government are sent for publication; and

(b) the amount of advertisement charges paid and payable as from 1st April 1952 to date?

A.—(a) The information^b is placed on the table of the House.

(b) Advertisement charges are paid by the various heads of departments on whose behalf advertisements are sent to the papers. Consolidated figures are not readily available.

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—PAPERS LAID ON THE TABLE OF THE HOUSE

SRI JUSTICE WANCHOO'S REPORT AND THE PRIME MINISTER'S STATEMENT^c IN THE HOUSE OF THE PEOPLE *re* THE ANDHRA STATE.

SRI VAVILALA GOPALAKRISHNAIAH :—“ Sir, before this is taken up I want a discussion on the first question, Sir, that is, regarding Justice Wanchoo's Report.”

^a Printed as Appendix III on pages 819-820 *infra*.

^b Printed as Appendix IV on pages 821-822 *infra*.

^c Printed as Appendix V on pages 822-826 *infra*.

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MR. SPEAKER :—“ I have already called the Hon. the Chief Minister. The hon. Member must resume his seat.”

* THE HON. SRI C. RAJAGOPALACHARI :—“ Mr. Speaker, Sir, I beg to lay on the table of the House a copy of the statement made by the Prime Minister in the House of the People on the 25th March 1953 in regard to the establishment of the Andhra State. All that is necessary to be done in terms of the statement for the speedy execution of the decision will be done by this Government with as much expedition as possible. I place Mr. Wanchoo's Report also on the table. Copies of both the documents will be made available to hon. Members. Let me reiterate as my own hope and desire what the Prime Minister has expressed in the concluding part of his statement. A time will come when the mists that have gathered will clear away and both the new Andhra State and the State of Madras will, in their separated existence develop new and increased bonds of union and not only find help and strength in one another but together be a source of fresh strength to the Union of India.”

SRI PILLALAMARRI VENKATESWARLU :—“ Now that the Hon. Chief Minister has made a statement, I think the Members have got an opportunity to discuss that matter.” 9-39 a.m.

MR. SPEAKER :—“ The hon. Member may consult the Leader of the House. I have no objection to allot time provided they come to a decision in that regard.”

* SRI T. NAGI REDDI :—“ Will the Hon. the Chief Minister give us an idea as to what steps are being taken now by the Government? ”

MR. SPEAKER :—“ If I allow one question, many questions will follow. So I do not allow questions.”

SRI PILLALAMARRI VENKATESWARLU :—“ As soon as a statement is made by the Hon. Chief Minister, the Members of this House have got a right to discuss that matter.”

MR. SPEAKER :—“ There is no motion before the House. Unless the Hon. Minister moves a motion that the statement be taken into consideration, Members have no right to discuss it. The Hon. Minister has not moved any such motion. Now, if the House wants a debate on this matter, it is better if the leaders come to a decision regarding the date and time.”

SRI C. V. K. RAO :—“ I would like to know the purpose of the statement, Sir.”

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III.—GOVERNMENT BILLS.

(1) THE MADRAS ESTATES LAND (REDUCTION OF RENT) AMENDMENT BILL, 1953—*cont.*

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, yesterday I was trying to explain how the present 1953 Bill differs from the 1952 Bill when my hon. Friend Mr. P. Venkateswarlu wanted a copy of the Bill. As ill-luck would have it, he got a wrong Bill, i.e., 1952 Bill and he got confused and made others also confused. In the end we had to postpone the discussion to to-day.”

SRI S. RAMALINGAM :—“ Sir, I have also given notice of an amendment.”

MR. SPEAKER :—“ I shall call the hon. Member afterwards.”

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, the old Bill of 1952 contains a big section 3-A which deals with the question of High Court stay orders that certain declared estates are not estates. We have omitted that completely. The present amendment is necessary in order to correct wrong notifications issued under the Rent Reduction Act and certain other arithmetical mistakes. We also promised that another Bill would be brought forward to amplify the definition in section 3 (2) of the Madras Estates Land Act. Meanwhile we brought this Bill to take power to cancel certain wrong notifications because, as a person trained in law and as one saturated with the principle of rule of law, I thought there should not be any lacuna in the Statute as it exists. We passed certain orders which were wrong and in this Bill we want power to correct them. The Hon. Chief Minister while replying to the debate on the Governor's address referred among other things to the points raised by the hon. Member from Sompeta and said : ‘ I accept that he is convinced that we are very wrong. The Government will look into the matter . . . So I ask the Hon. Revenue Minister to consider the matter very carefully. If there is anything urgent, it must be done; if there is nothing urgent, it can wait. My Hon. Colleague will decide that. I assure Mr. Latchanna this much in that matter.’ I may assure the hon. Member for Sompeta that we would not advance an inch even if we drop the Bill. Unless the definition of ‘ estate ’ is amplified there will not be any relief and we are bringing a separate Bill for that purpose. Meanwhile we want power to correct the lacuna in the existing Act. If the hon. Members want it, let them have the Bill. If they do not want it, I don't mind. We do not want the wrong to continue and we want to correct it.”

MR. SPEAKER :—“ There are two amendments, one moved by Sri Vavilala Gopalakrishnaiah that the Bill may be referred to a Select Committee and the other by Sri K. Govinda Rao that the Bill may be circulated for eliciting opinion.”

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SRI G. LATCHANNA:—“ Mr. Speaker, I beg to move the amendment standing in my name—

‘ For the words “ at once ”, substitute the words “ six months later ”.’

“ అధ్యక్షా, నేను యీ ప్రతిపక్ష amendment ను ప్రతిపాదిస్తూ, యీ విషయములో గా॥ మంత్రిగారికి నేనొక విషయాన్ని పేర్కొనాలి. జాతీయ పక్షము చేయవలసి వుంటుందని ఆభిప్రాయపడుతున్నాను. ముఖ్యమంత్రిగారు వివిధంగా అయితే నాకు వారు assurance యిచ్చారో వారే తెలుసుకోవాలి. కాని గా॥ రెవిన్యూమంత్రిగారికి ఆ assurance ను మాత్రం తెలియకపోవడమనేది చాలా విచారకరం. మున్న జరిగిన బడ్జెటు సందర్భములో నేను యీ బిల్లును ప్రజలు తప్పుకుండా ప్రతిఘటించారని చెప్పి oppose చేసినప్పుడు, ముఖ్యమంత్రిగారు యిచ్చినటువంటి వాగ్దానాన్ని ఆనుసరించి యీ బిల్లును ఉపసంహరించుతారని అనుకున్నాను. యీ బిల్లును అసలు గెజెట్ వోటిఫికేషను చేసినప్పుడే, ప్రజలు దీన్ని వ్యతిరేకించుతారని యీ శాసనసభలోనూడా తెలియజేసినప్పుడు తప్పని సరిగా యీ బిల్లును ఉపసంహరించుకుంటామని రెవిన్యూమంత్రిగారుకూడా వాగ్దానము యిచ్చారు. అటువంటిప్పుడు యీ బిల్లును ఉపసంహరించుకోకుండా, వారు యిచ్చిన వాగ్దానాలకు వ్యతిరేకంగా మరల యీ బిల్లును యిప్పుడు ప్రవేశపెట్టుతున్నారంటే దానికి అర్థములేదని మనవి చేస్తున్నాను. వారు యిచ్చిన వాగ్దానాలకు వ్యతిరేకంగా వారు నడుచుచున్నారని హెచ్చరిస్తున్నాను. ఇకపోతే యీ బిల్లు విషయంలో గవర్నరు మెంటువారు ఒక తప్పుచేశారు. ఆ తప్పు దిద్దుకోవటానికి యీ బిల్లులో 3 (2) (a) clause యొక్క definition మార్పు చేయటానికి అత్యవసరంగా యిప్పుడు ప్రవేశపెట్టుతున్నామని రెవిన్యూమంత్రిగారు అంటున్నారు. అసలు యీ బిల్లులోని clause ను విరికంగా మార్పుచేయదలచినను, అసలు దీన్ని సంపూర్ణముగా మార్పుచేయవలసి ఉంటుంది. అసలు యీరకమైన బిల్లే పనికిరాదు, ప్రజలకు అన్యాయం జరుగుతుంది, అందువల్ల యీ రకమైన బిల్లు యిప్పుడు ప్రవేశపెట్టవద్దని అంటున్నాను. ఏ రకమైన మార్పు అయినను రైతులయొక్క హక్కులను కాపాడటానికి సరియైన సవరణచేయకుండా తేచ్చారు. అందువల్ల యీ బిల్లు ఏ రూపంలోనూకూడా ప్రజలు వద్దని వక్కాణించి చెప్పుతున్నారు. ఈ రకపు బిల్లువల్ల దేశంలోవున్న వ్యవసాయ కూలీలకు చాలా అన్యాయం జరుగుతుంది. ఒకవేళ ప్రభుత్వంవారు యిటువంటి బిల్లు ఏరూపంలో వ్యాసుచేయించినను, యిది యాక్టు అయినప్పుడు ప్రజలు ఆమలులోకి రానివ్వరు. ఇదిమాత్రం ప్రభుత్వంవారు గుర్తించాలి. ఈ బిల్లు వ్యవసాయకూలీల హక్కులకు చాలా భంగకరము గనుక, ప్రజలు దీన్ని వివిధంగాను ఒప్పుకోరు. ఏదో తప్పు దిద్దుకోవటానికి అని చెప్పినను, వ్యవసాయ కూలీల హక్కులకు చాలా హానికరం, భంగకరము గనుక, ప్రజలు దీన్ని నవ్వురు, పూర్తిగా ప్రతిఘటించారు. ఇదివరకు ప్రభుత్వం యీ రకమయిన బిల్లును ఒకసారి తెచ్చి ప్రభుత్వమువారు ఈ ఎస్టేట్లుగా declare చేసిన యీనాములు యిప్పుడు ఆ యీనాములు ఎస్టేట్లుకీడకు రావని declare చేస్తామని అంటే, ప్రజలు ఒప్పుకోరు అని అంటున్నాను. దీన్ని ప్రజలు ఆమలులోనికి రానివ్వరు. ఈ సంగతి ప్రభుత్వం గట్టిగా గుర్తించాలని అంటున్నాను. ప్రభుత్వం యే విధంగానైనను దీని వ్యాసుచేసి యాక్టుగాతేస్తే, ప్రజాస్వామ్య సూత్రాలకు వ్యతిరేకంగా గడిస్తే, ప్రభుత్వంలో ఉన్న ముఖ్యమంత్రి, రెవిన్యూమంత్రిగారు చేసిన వాగ్దానాల మాట మరచిపోయినారా అని అడుగుతున్నాను. అందుచేత ఈ బిల్లు విషయములో ప్రజల కుశుధాగముగా నేనిబిల్లు లేవద్దని ప్రభుత్వంవారిని

కోరుతున్నాను.

[Sri G. Latchanna]

[2nd April 1953]

కోరుతున్నాను. ఒకవేళ యీ బిల్లును యిప్పుడు బలవంతంగా ప్రవేశపెట్టి ప్యాసు చేయించడమైనా యిందులో విరోధ కుట్రలకు పాల్పడకుండా ప్రభుత్వం ప్రతిష్టాపాదకంగా వాగ్దానం చేయడం వారు వెంటనే వాటిని మరిచిపోవడం, వారికి కావలసిన ప్రకారం ప్రజలను ముఖ్యపెట్టి హిస్సాదారులనే ప్రధానంగా ఈ ప్రభుత్వం బిల్లులెచ్చి ప్యాసుచేయించడం అంటే, యిదంతా కుట్రలకు దురన్యాయమని చెప్పక తప్పదు. ప్రజల శ్రేయస్సు యీ ప్రభుత్వం నిజంగా కోరితే, యీ బిల్లును ఉపసంహరించడం మంచిది. ప్రస్తుతము ఆంధ్ర రాష్ట్రము విడిబిడపాటి సమయంలో యీ బిల్లును విపరీతములలో తయారుచేశారో, యిది కుట్రగాక మరేమిటని అంటున్నాను. రాష్ట్రంలో యీ ఎన్నేటలకు సంబంధించిన మూడు ఎనిమిదివేల గ్రామాలు ఉన్నవి. లక్షలకొలది రైతులకు జవాబు ప్రభుత్వం చెప్పవలసి ఉంటుంది. వారియొక్క హక్కులను కాపాడే జవాబుదారి యీ ప్రభుత్వమే ఉన్నది. రెవిన్యూ మంత్రిగారు యిదివరకు declare చేసిన యీ నాములు, ఎన్నేటలు విషయంలో, ఒక పక్షానికి సహాయము చేయాలని ఉద్దేశించుచున్నారని చెప్పవలసి ఉంటుంది. వారు యీ రైతుల విషయంలో నిష్పక్షపాత బుద్ధితో సంబంధించాలి. ఎన్నో విధాల యీ రైతులకు ప్రభుత్వం, రెవిన్యూ మంత్రిగారు సహకరించాలి గాని, అన్యాయము, కుట్రపద్ధతి మనవి చేస్తున్నాను. ఇటువంటి బిల్లును యిదివరకు ప్రభుత్వంవారు లేనే, ప్రభుత్వము వారు ఏర్పాటుచేసిన Select Committee వారే దాన్ని త్రోసివేశారు. ఆ విషయం ప్రభుత్వంవారు మనస్సులో పెట్టుకోవాలి. అందుచేత ముఖ్యమంత్రిగారున్నూ, రెవిన్యూ మంత్రిగారున్నూ యీ బిల్లు విషయంలో యిచ్చిన వాగ్దానాలను మరిచి పోకుండా ప్రజల హక్కును కాపాడేందుకు ప్రభుత్వం పాటుబడులామని చెప్పి వాగ్దానమిచ్చారు. అందుకోసము దీన్ని మరిక Gazette notification చేస్తామని గూడా మంత్రులు అన్నారు. కాబట్టి యీ బిల్లు ప్రజల హక్కులకు భంగకరముగాన, మంత్రులు యిచ్చిన వాగ్దానాలను మరిచిపోని జాప్యముచేస్తూ, యీ బిల్లును ప్రస్తుతము ఉపసంహరించవలసి ఉంటుందని మనవి చేస్తున్నాను."

9-40
a.m.

* SRI K. V. RAMESAM :—" Mr. Speaker, Sir, in seconding the amendment moved by my friend, I am submitting a few words to the House. The explanation given by the Hon. the Revenue Minister is that some mistakes have cropped up on account of the decisions of the High Court and of the Supreme Court, and therefore there is need for correcting the mistakes in the notifications made in regard to reduction of rent proceedings."

MR. SPEAKER :—" It appears the Government want to withdraw the Bill."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, it is not as if I am dissuaded from proceeding with the Bill on account of the heat generated by the hon. Member from Sompeta. I said that it was only with a view to correct the errors that have crept in. I have a copy of the speech of the Hon. Chief Minister, and he said that if there was nothing urgent about it, we could as well postpone it. I considered it was not urgent but still I thought the errors could be set right. Anyway it is not urgent. We have gone on for so many months, and I think we can as well go on for some more months without an amendment of the Act. And I do

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not want more heat to be generated in this House. So, I seek the permission of the House to withdraw the Bill." (Applause.)

The Bill was withdrawn, with the permission of the House.

IV.—GOVERNMENT MOTIONS.

(1) AMENDMENT TO SCHEDULE TO THE MADRAS MOTOR VEHICLES
 (TAXATION OF PASSENGERS AND GOODS) ACT, 1952.

* THE HON. DR. U. KRISHNA RAO :—“ Sir, this is a motion to amend the Schedule to the Madras Motor Vehicles (Taxation of Passengers and Goods) Act, 1952. I move, Sir—

“ That the following draft of a rule proposed to be made by the Government of Madras under section 4 (2) of the Madras Motor Vehicles (Taxation of Passengers and Goods) Act, 1952 (Madras Act XVI of 1952), amending the Schedule to the said Act, be approved :—

DRAFT RULE.

In the said Schedule, rule 1 shall be renumbered as sub-rule (1) of that rule, and to the rule as so re-numbered, the following sub-rule shall be added, namely :—

“(2) The amount of the composition fee calculated with reference to clause (a) or clause (b) of sub-rule (1) shall be payable at the option of the operator either quarterly or in three equal monthly instalments.”

“ Mr. Speaker, Sir, under section 4, an operator of a stage carriage or a lorry may apply for permission to compound the tax assessable on him under the Act by paying in lieu thereof a fee fixed in the manner specified in the schedule. The schedule provides that the composition fee referred to in section 4 shall be calculated for the entire unexpired period of the currency of the permit or for a period of three months. It has been represented to the Government that operators find it difficult to pay in one instalment the composition fee for each quarter. The Government after careful consideration have decided that both bus and lorry operators may be permitted to make payments of composition fee once a month or once a quarter, and that the schedule should be amended suitably. It is therefore proposed to amend the schedule with reference to the decision of the Government referred to by me.”

MR. SPEAKER :—“ Motion moved—

‘ That the following draft of a rule proposed to be made by the Government of Madras under section 4 (2) of the Madras

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Motor Vehicles (Taxation of Passengers and Goods) Act, 1952
(Madras Act XVI of 1952), amending the Schedule to the said Act
be approved :—

DRAFT RULE.

In the said Schedule, rule 1 shall be renumbered as sub-rule (1) of that rule, and to the rule as so renumbered, the following sub-rule shall be added, namely :—

“(2) The amount of the composition fee calculated with reference to clause (a) or clause (b) of sub-rule (1) shall be payable at the option of the operator either quarterly or in three equal monthly instalments.”

SRI PILLALAMARRI VENKATESWARLU :—“ Mr. Speaker, Sir, it is good that the Hon. Minister for Industries has come forward with an amendment to his own Bill which was passed in this House very recently. Of course during the debate on the Bill, such defects were pointed out by hon. Members, but the Hon. Minister did not concede the existence of such defects, although they were brought to his notice. We are grateful that now at least the Minister has taken up a conciliatory attitude towards the bus operators.

“ In this connexion, I should like to point out to him that there are certain other defects also in the Motor Vehicles Act generally relating to the drivers and conductors and their salaries, and particularly in connexion with a new scheme which the Government have introduced relating to first-aid training. During the question hour itself it was brought to the notice of the Government that the difficulties of the bus drivers and conductors are great in undergoing this training. We are of course happy that the Minister has shown some consideration to the bus operators; the same consideration may now be shown to the drivers and conductors because it is not easy, as the Hon. Minister knows, to undergo training for first-aid precautions. I hope, Sir, the Hon. Minister will bear this point in mind and do something for the poor bus drivers and conductors as well.”

SRI VAVILALA GOPALAKRISHNAIAH :—“ I have given notice of an amendment, Sir.”

MR. SPEAKER :—“ There is no such amendment.”

SRI VAVILALA GOPALAKRISHNAIAH :—“ My amendment was to the effect that this be referred to a Select Committee.”

MR. SPEAKER :—“ That relates to another motion to be moved by Mr. Pattabhi Rama Rao I think.”

SRI VAVILALA GOPALAKRISHNAIAH :—“ Perhaps my amendment has been misplaced. Please allow me to move it, Sir.”

MR. SPEAKER :—“ All right. The hon. Member may speak on the Motion.”

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* SRI VAVILALA GOPALAKRISHNAIAH :—“ ఇప్పుడు యీ బిల్లును ప్రభుత్వంవారు తీసుకురావడంబా దీన్ని అంతా మేము అంగీకరిస్తామని కాదు. అసలు యీ బిల్లులో ప్రస్తుతముంటి సమస్య ఏమిటంటే, క్రిందటి తడవ దీనికి సంబంధించిన అసలు బిల్లును ప్రభుత్వ ప్రవేశ పెట్టినప్పుడు, మేము దానికి ఎన్నో అభ్యంతరములు పెట్టడము జరిగింది. దాన్ని అప్పుడు విధో విధంగా ప్రభుత్వంవారు ప్యాసు చేయించుకున్నారు. దానిలో జరిగిన పొరవాట్లు దిద్దుకోటానికి ఇప్పుడు మరల యీ బిల్లును తెచ్చారు. అసలు తప్పు అనేది వస్తే, గవర్నమెంటు ఆఫీసర్లు ఎక్స్కంట్టు లోనే చాలా తప్పులున్నది. వైగా యింకొక విషయం ఉన్నది. ప్రభుత్వంవారు మోటారు vehicles విషయంలో ఆపరేటర్లు ఎక్స్కంట్టు రోజు రోజు వ్రాసి రెక్కలు చూపించలేరని ఈ procedure అంతా కష్టమని అనుకునే వాళ్ళకు compounding అనేది ప్రభుత్వం యిచ్చారు. ఒకసారి ఈ విధానం ద్వారా చేర్చే ఆపకాశం యిచ్చిన తర్వాత వాళ్లు ఎక్స్కంట్టు maintain చేయాలి అని వత్తిడి ఎందుకు చేస్తున్నదని అడుగుతున్నాను. ఈ ఆపరేటర్లలో అనేకమందికి యీ ఎక్స్కంట్టు పెట్టలేని కారణం చేసిన గదా ఈ compounding అయినా ఎట్లానో కష్టపడి కట్టుతున్నారు. ఒకసారి compound యివ్వటానికి ఒప్పుకొన్న తర్వాత అయినా ఎక్స్కంట్టుతో పని విముంది.

“ రెండవది ఈ బిల్లును ప్రభుత్వంవారు మొట్టమొదటిసారి తీసుకొనివచ్చినప్పుడు నేను అనేక పర్యాయములు యీ మోటారు వర్కర్లకు, అందులో పనిచేసే వాళ్లందరికీకూడా కావలసిన సౌకర్యాలు కలుగజేయవలెనని ఈ వసూళ్ళవల్ల వచ్చే లాభాలను ప్రయాణికులుకూడా పొందాలని చెప్పాను. ఇప్పుడు ఈ motor vehicles మీద ఆదాయం అంతా, ఆపరేటర్లు ప్రభుత్వం యిద్దరు పంచుకుంటున్నారు. కలలు రాత్రీ కష్టపడేవాళ్ళకు యేమీలేదు. పూర్కనే వై వెత్తనం చేసినదానికి ఆదాయం పంచుకోవటం జరుగుచున్నది. అందుకనే, యీ మోటారు వర్కర్లు వగైరా వాళ్లందరికీ యీ ఆదాయంలో ప్రధాన భాగం వుండాలంటున్నాను. అందుకేగాను రాష్ట్రములో ఎలపరేటర్లైనా మూడు vehicles అంతకన్న తక్కువవున్న వాళ్లను అందరినీ వదిలివేసి, మిగతా వాళ్లందరినీ రెక్కలోకి తీసుకొని వాళ్ల ఆదాయంలో ప్రభుత్వానికి యిచ్చేటట్లుగా యీ వర్కర్లకుకూడా కొంతభాగము ఆదాయంలో ఇచ్చేటట్లు ప్రభుత్వంవారు కృషి చేయాలంటున్నాను. అట్లా ప్రభుత్వం తలపెట్టకపోతే దాని ప్రతిఫలమేనని అప్పుకొరకు వెళ్ళే పిల్లలకు తినే మార్వాటిలాగు యీ ప్రభుత్వం యీ vehicles మీదపెట్టే ఆదాయం అంతా తినబానికి సిద్ధపడుతున్నదని చెప్పవలసివుంటుంది. ప్రజలకు సౌకర్యాలు యేమైనా యీ ప్రభుత్వం చేశారా అంటే, అది ఎక్కడదూచినా కనబడవు. ఒక ప్రక్కన ఆపరేటర్లు, మరొక ప్రక్కన ప్రభుత్వం ఎవరిలాభాలకోసంవారు పనిచేసు వివిధమైన సౌకర్యాలు చేయకుండా, పనిజలనుండి డబ్బు మాత్రం వసూలుచేసి పంచుకోవడం జరుగుచున్నది. ఇది శ్రీరామరాజ్యం కాబట్టి ప్రభుత్వంవారు యిప్పటికైనా యీ వర్కర్లకుగాను, వాళ్ల యొక్క welfare ను, పనిజల సౌకర్యాలు ప్రభుత్వదృష్టిలో పెట్టుకొని, వర్కర్లకు కూడా ఈ ఆదాయంలో పనియోజనం అందేటటుచూడాలి.”

* SRI K. KRISHNA RAO :—“ Sir, there are two ways in which an operator of a vehicle can pay the tax, one is by actually submitting the account of his collections and paying the fee fixed, and the other is by paying a composition fee. I should like to know how by composition you are getting anything less than what

[Sri K. Krishna Rao]

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you would otherwise get on the basis of actual collections. Is there any check to show that persons who pay the composition fee are at a greater advantage than those who pay on the basis of actual collections? In such a case, I think we can have no objection to this Motion."

* THE HON. DR. U. KRISHNA RAO :—" Sir, I shall reply to my hon. Friend Mr. Krishna Rao first. Even in the original Act, there is provision for compounding. Compounding means an advantage to both parties; it helps the Government to get the money in a lump sum in advance, and it helps the bus operator in that it removes from him the obligation to undergo formalities such as filling up so many forms and undergoing so much 'oppression' as the bus operators say. It is therefore an advantage both to the Government and to the bus operator. But in actual application, we found that some people found it difficult to pay the quarterly amount in a lump sum. We appreciated their difficulties and said we would take it month by month. I do not think there is any unfair advantage to the bus operator or undue loss to the Government by this process. It is true that if we go by the strict method of computation, we may get a little more money, but it means extra trouble and annoyance to the bus operator. Once the principle of compounding has been accepted, this is only taking us one step further. Instead of paying in lump every quarter, he is allowed to pay in monthly instalments. So far as the remarks of Mr. Gopalakrishnaiah and Mr. Venkateswarlu are concerned, I am afraid they are outside the scope of this Motion for the reason that the tax is a tax on the bus operator, and the workers have no place in it. I concede there are ever so many things to be done for the workers, not only the few things referred to by Mr. Gopalakrishnaiah or by Mr. Venkateswarlu. I have always been saying that the Government would always be willing to consider any reasonable requests coming on behalf of the workers. My friends should not take advantage of this occasion and make it appear that the Government are not doing anything. I want that impression to be removed once and for all. Any advantage which the worker may get in reference to first-aid training, should not be supposed to be on the ground that the Government are yielding to the intimidation and threats of the two Members—I refuse to agree to the creation of any such impression. But, as I said, and I give the assurance again, that any reasonable requests made by or on behalf of the workers and coming from any part of the House will be favourably considered by the Government."

9-50
a.m.

SRI VAVILALA GOPALAKRISHNAIAH :—" On a point of information, Sir, the Hon. Minister has not replied to my point. In regard to monthly instalments and other things they have to maintain regular accounts. Now that you are going to collect the compounding fees, they need not be asked to maintain accounts relating to the number of passengers and in what routes the collections were made, etc. These hardships must therefore be removed."

AMENDMENT TO SCHEDULE TO THE MADRAS MOTOR VEHICLES 755
(TAXATION OF PASSENGERS AND GOODS) ACT, 1952

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* THE HON. DR. U. KRISHNA RAO :—“ All the benefits which the bus operators were getting under the quarterly system they will also get under the monthly system. Though the calculation is made for the quarter, the collection is by the month.”

MR. SPEAKER :—“ The question is—

‘ That the following draft of a rule proposed to be made by the Government of Madras under section 4 (2) of the Madras Motor Vehicles (Taxation of Passengers and Goods) Act, 1952 (Madras Act XVI of 1952), amending the Schedule to the said Act, be approved.

DRAFT RULE.

In the said Schedule, rule 1 shall be renumbered as sub-rule (1) of that rule, and to the rule as so renumbered, the following sub-rule shall be added, namely :—

“(2) The amount of the composition fee calculated with reference to clause (a) or clause (b) of sub-rule (1) shall be payable at the option of the operator either quarterly or in three equal monthly instalments.”

The motion was put and carried.

(2) AMENDMENTS TO THE MADRAS GENERAL SALES TAX
(TURNOVER AND ASSESSMENT) RULES, 1939.

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—“ Sir, I move—

‘ That the following draft amendments to the Madras General Sales Tax (Turnover and Assessment) Rules, 1939 (published with Revenue Department Notification No. 818, dated the 12th September 1939, at pages 1-5 of the Extraordinary issue of the Fort St. George Gazette, dated the 15th September 1939, as subsequently amended), which it is proposed to make in exercise of the powers conferred by section 3, sub-sections (4) and (5), of the Madras General Sales Tax Act, 1939 (Madras Act IX of 1939), be approved.

Draft amendment (1) (ii) relating to item (cc) in rule 4 (3) shall come into force on the 1st April 1953.

DRAFT AMENDMENTS.

In the said rules—

(1) in rule 4 (3)—

(i) for item (a), the following item shall be substituted, namely :—

“(a) (i) in the case of an electrical contract other than electro-plating contract . . . 20;

(ii) in the case of electroplating contract . . . 27 ”;

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(ii) for item (cc), the following item shall be substituted, namely :—

“(cc) in the case of textile dyeing and printing works contract . . . 50 ”;

(iii) item (e) shall be relettered as item (f) and before the item as so relettered, the following item shall be inserted, namely :—

“(e) in the case of sculptural contracts and/or contracts relating to works of art . . . 70 ”;

(2) in rule 5 (1) (d), the words “ provided that separate accounts are kept for transactions in each of such goods ” shall be omitted and the following proviso shall be added, namely :—

“ Provided that if separate accounts are not maintained in respect of goods referred to in section 4, the turnover of the sales of the rest of the goods will be determined by the assessing authority to the best of his judgment, in accordance with the provisions of rule 8 ”;

(3) in sub-rule (4) of rule 5-A, sub-rules (2) and (4) of rule 13, and sub-rules (2), (3) and (4) of rule 15, and in Forms A-2, A-6, A-7, B, B-1 and B-2 for the word “ cheque ” wherever it occurs, the words “ crossed cheque ” shall be substituted;

(4) in sub-rule (2) of rule 6—

(a) for the word “ turnover ” occurring in the two places, the words “ net turnover ” shall be substituted;

(b) for the words “ within the first twelve months of the commencement of his business ”, the words “ in any year for the first time ” shall be substituted;

(5) in sub-rule (1) of rule 11, paragraph 2 shall be omitted;

(6) delete in rule 13—

(a) to sub-rule (1), the following proviso shall be added, namely :—

“ Provided that the Commercial Tax Officer of the district concerned may, in any case where he is satisfied that hardship is caused to a dealer by the application of the method of assessment described in rules 7 to 12, permit the dealer to change over to this method of assessment within the first three months of the year ”;

(b) to sub-rule (5), the following proviso shall be added, namely :—

“ Provided that if no return or returns have been submitted by the dealer as required by sub-rule (2), or if any return or returns submitted by him appear to the assessing authority to be incorrect or incomplete, the assessing authority shall, after making such

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enquiry as he considers necessary, and after giving the dealer an opportunity as prescribed in rule 9 of proving the correctness and completeness of the return or returns submitted by him, determine the turnover to the best of his judgment and finally assess under a single order the tax or taxes payable under section 3, 5, or 8-B (2) or under any notifications issued under section 6 (1) for the preceding year”;

(7) in rule 18—

(a) for sub-rule (3), the following sub-rule shall be substituted, namely:—

“(3) Every such manufacturer shall submit so as to reach the registering authority not later than the 25th day of every month, a statement in Form A-9 in respect of the transactions relating to the previous month.”

(b) in sub-rule (3-A), for the words, figures and brackets “If any such manufacturer submits the statement in Form A-9 referred to in sub-rule (3) after the last day of the month”, the words, figures and brackets “If any such manufacturer fails to submit the statement in Form A-9 within the time specified in sub-rule (3)” shall be substituted;

(8) in Form A-1—

(a) for the words “I/We furnish below a statement showing my/our $\frac{\text{turnover}}{\text{estimated turnover}}$ for the first twelve months of business. I/We commenced business on”, the following shall be substituted, namely:—

“I/We furnish below a statement showing my/our $\frac{\text{turnover upto}}{\text{estimated turnover for the first twelve months of business}}$ I/We commenced business”;

(b) for the words “I/We declare that to the best of my/our knowledge and belief the information furnished in the above statement is true and complete and that it represents my/our $\frac{\text{turnover}}{\text{estimate of the turnover likely to}}$ for the first twelve months of business”,

the following shall be substituted, namely:—

“I/We declare that to the best of my/our knowledge and belief the information furnished in the above statement is true and complete and that it represents my/our $\frac{\text{turnover}}{\text{estimated turnover likely to be realised}}$ up to twelve months of business”;

[Sri S. B. P. Pattabhi Rama Rao] [2nd April 1953]

(9) in the Note to Form A-2, for item (1) and the entry against it, the following shall be substituted, namely:—

“(1) Where payment is made by cheque, the cheque shall be crossed and shall be such as under the Madras Treasury Code is receivable by the Government Treasury concerned.”;

(2) for the Note to Forms A-6, A-7, B, B-1 and B-2, the following Note shall be substituted, namely:—

“Note.—Where payment is made by cheque, the cheque shall be crossed and shall be such as under the Madras Treasury Code is receivable by the Government Treasury concerned.”;

(10) in Form A-9, for Note (4), the following Note shall be substituted, namely:—

“(4) The statement should be submitted so as to reach the registering authority not later than the 25th day of every month in respect of the transactions relating to the previous month.”

“Sir, in moving the above amendment, I have to submit that it is only in the light of experience gained in working the Act that we are trying to remove certain defects and hardships noticed, to the advantage of the assessee mostly. I shall explain briefly the reasons for the amendments. I may mention in regard to amendment (1) (i) that rule 4 (3) of the Turnover and Assessment Rules provides for deduction of a maximum of 20 per cent towards cost of labour in the case of an electrical contract. The Board of Revenue reported in consultation with the Director of Industries and Commerce that ‘electroplating work’ is a works contract for purposes of taxation under the Madras General Sales Tax Act and that in electroplating contract the cost of labour deductible for purposes of rule 4 (3) of the Turnover and Assessment Rules might be fixed at 27 per cent. Formerly it was 20 per cent and so this 7 per cent is to the advantage of the assesseees.

“Regarding amendment (1) (ii), the existing rule 4 (3) of the Turnover and Assessment Rules provides that a maximum of 33-1/3 per cent may be deducted for charges towards cost of labour in the case of a dyeing works contract. While examining the request of certain Textile Dyers’ and Printers’ Associations for granting permanent exemption of dyeing and printing works from liability to sales tax, the Government considered that a deduction of 50 per cent instead of 33-1/3 per cent should be allowed towards cost of labour in the case of textile dyeing and printing works contract.

“Regarding amendment (1) (iii), in the case of sculptural contracts or contracts relating to works of art, no specific percentage of deduction is prescribed at present towards cost of labour. Such cases will, therefore, fall under ‘other works contracts’ mentioned in rule 4 (3) of the Turnover and Assessment Rules, and the percentage of deduction allowable is 30. The Board of Revenue reported that as the value of works of art and sculpture is dependent more on the skill in execution than on the cost of materials involved, a percentage deduction of 70 should be allowed towards the cost of labour in such cases.

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“ In regard to amendment (2), section 4 of the Madras General Sales Tax Act as amended provides that the provisions of the Madras General Sales Tax Act shall not apply to electrical energy, motor spirit, etc., on which duty is or may be levied under special Acts like the Madras Sales of Motor Spirit Taxation Act, Prohibition Act, etc. Rule 5 (1) (d) of the Turnover and Assessment Rules, however, requires that the turnover in respect of these goods may be deducted from the gross turnover, for purposes of calculating sales tax on the net turnover, only if separate accounts are maintained for transactions in respect of such goods. There are cases here and there where separate accounts are not maintained. So there is scope for discretion on the part of the sales tax officers, but discretion cannot be used for assessment unless separate accounts are maintained. Now we have given discretion to sales tax officers that even if separate accounts are not maintained they will have to use their discretion in favour of the assesseees.

“ Regarding amendment (3), rules at present provide for payment of sales tax dues, etc., *inter alia* by cheque. An open cheque is being allowed towards payment of sales tax. But we find that it is quite risky to allow an open cheque. In the interests of both the assesseees and the Government we propose to substitute ‘ crossed cheque ’ for ‘ cheque ’ as a measure of security.

“ In regard to amendment 4 (a), rule 6 (1) of the Turnover and Assessment Rules speaks of the net turnover for purposes of submission of A-1 return, while rule 6 (2) makes mention of turnover only. For the sake of uniformity, it is proposed to insert the term ‘ net turnover ’ in the place of ‘ turnover ’ occurring in two places in rule 6 (2). With reference to amendment 4 (b), as rule 6 (2) stands at present, the dealer is bound to submit A-1 return which gives information to the Commercial Tax Department to make provisional assessment in the case of newly started business within the first 12 months of the commencement of this business. There have been cases here and there where they could not submit accounts within 12 months. It has worked hardship in some cases. So, it is proposed to amend rule 6 (2) of the Turnover and Assessment Rules so as to require a dealer to submit A-1 return as soon as his turnover reaches Rs. 10,000 in any year for the first time, that is, not necessarily within the first 12 months of the commencement of his business.

“ Amendment (5) is consequent on the amendment dealt with under item 4 (b) above. In view of the amendment dealt with under 4 (b) above, there will not be cases of the kind referred to in paragraph 2 of sub-rule (1) of rule 11 of the Turnover and Assessment Rules. Hence this paragraph is proposed to be omitted.

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“ Regarding amendment 6 (a) there are two modes of assessment of dealers to tax under the Madras General Sales Tax Act :

(1) the method of assessment described in rules 7 to 12 of the Turnover and Assessment Rules; and

(2) the method described in rule 13 of the Turnover and Assessment Rules.

We are now trying to relax the rules. As strict adherence to the rule causes hardship in the cases of dealers who have a fall in their turnover when compared with the turnover of the previous year, it is proposed to empower the Commercial Tax Officer in cases where he is satisfied that the hardship is caused to a dealer by the application of the first method of assessment, to permit a change-over to the method of assessment described in rule 13 within the first three months of the financial year. The amendment seeks to give effect to this proposal.

“ With regard to amendment 6 (b), when the dealer has failed to submit any return or submitted incorrect or incomplete returns, there is no provision in these rules to make a final assessment to the best of one's judgment after following the procedure laid down in rules 8 and 9 of the Turnover and Assessment Rules. It is proposed to set right the defect by adding a proviso to rule 13 (5) of the Turnover and Assessment Rules.

“ Amendment (7), rule 16.—The amendments suggested are only formal. When rule 13 (3) of the Turnover and Assessment Rules was amended in 1951 dealt with in G.O. Ms. No. 614, Revenue, dated 16th March 1951, the previous amendment issued in G.O. No. 99, dated 11th January 1950, was not taken into account by mistake. The amendments are intended to set right the above drafting error.

“ Amendments (8), (9) and (10) are consequential to the amendments suggested in items (4) (b), (3) and (7) above.

“ So, Sir, as I have just explained these are the rules which are meant to be amended in the light of experience gained in the working of the Act during these years. It is only just to rectify these defects that these amendments have been proposed. I therefore request the House to accept the Rules.”

MR. SPEAKER:—“ The motion moved by the Hon. Minister is now before the House for discussion.”

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a.m. SRI PILLALAMARRI VENKATESWARLU:—“ Sir, the Hon. Minister read a long statement, and it was not easy to follow all the implications. Much more explanation is necessary to make the hon. Members appreciate the need for these amendments. We take objection to the amendment to rule 4 (2) which adds leaf tobacco to the list of commodities to be taxed. The effect of this amendment is already being felt by the Members of this House who are accustomed to smoking. We could not get

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cigarettes in the open market; they have gone underground. There is no need to bring leaf tobacco within the purview of the Sales Tax Act."

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, the hon. Member is making a mistake. The amendment to rule 4 (2) has not been moved at all."

* SRI K. KRISHNA RAO :—" From what I have been able to gather from the speech of the Hon. Minister, it looks as if he wants to increase the tax from the original rate to 20 per cent in the case of electrical contract and 27 per cent in the case of electroplating contract, because of the cost of labour for the manufacture, and all that. He has also increased the amount of exemption, i.e., the amount to be deducted from the income for price, cost of labour and all that. He has also told us that the figures have been arrived at on the basis of the report furnished by the Board of Revenue. What is happening is that there is increase in unemployment and wages have been drastically cut down in many occupations and professions. The actual deduction which he claims on behalf of the dealers does not represent the actual amount of increased wages paid to the workers. When that is so, how can he come before the House and ask for a reduction to be made in favour of the dealers on account of labour charges? Actually there is depression in wages and the people are trying to take advantage of the unemployment all round. I should like to know on what basis he is now increasing the amount that is to be exempted from the total turnover on account of labour. The Board of Revenue might have arrived at these figures on the basis of the conditions prevailing in 1949 or 1950. As things stand to-day and with decreased wages, I cannot understand why an increase in the amount of exemption should be given."

* SRI VAVILALA GOPALAKRISHNAIAH :—" అయ్యో. ఇంచాకు మంత్రిగారు మదరాసు జనరల్ టాక్సు (ఆర్డర్ నోవరు ఆండ్ ఏజెన్స్ మెంటు) రూలు 1939 సవరణలకు అంటే యీ ప్రతిపాదన ఉపసంహరించుకుంటామని అన్నారు. అట్లా అయితే, అసలు దీన్ని drop చేశారా, లేక introduce చేసి, తర్వాత withdraw చేసుకున్నారా? నాకు సందేహము వచ్చింది. ఇది డబ్బుకు సంబంధించిన బిల్లు కాబట్టి అడుగుతున్నాను."

"ఈ విషయంలో నేను యిదివరకు ఒకసారి మంత్రిగారికి ఈ press లో జరిగే printing విషయంలోగాని, ఆద్యువేనే విషయంలోగాని, కాగితాల విషయంలోగాని, ఏమీ జరుగుచున్నదో చెప్తాను. కాగితాలు సప్లై చేసేసేపుడు ప్రింటింగుకు వేరే ధర, కాగితాలు సప్లై చేసేసేపుడు ప్రింటింగుకు వేరే ధర, ఫుల్ టైమ్ లో అని చెప్పుతున్నాను. ప్రింటింగుమీదనే కాకుండా, కూగితాలమీద కూడా turnover tax వేసి వసూలుజేస్తున్నారు. ఇదివరకొకసారి ఈ point ను గురించి ప్రభుత్వ దృష్టికి తెచ్చాను. అప్పుడు దాన్ని గురించి consider చేస్తామని చెప్పారు. దానికోసం అసలు ఈ విషయం డిమిటో మరొక ఒకసారి విశదముగా చెబుతాను. ప్రింటింగు ప్రెస్సులలో ప్రింటింగు చేయడం రెండువిధాలుగా జరుగుచున్నది. ఆర్డరు ఇచ్చేటప్పుడు ప్రెస్సువాళ్లు ప్రింటింగుచేయడం కాగితాల సప్లై, అంతా వాళ్లే చేయ

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డమనేది ఒకటే. యింకొక్కటి ఏమిటంటే ప్రింటింగుమాత్రం వ్రెస్టునాళ్లు చేసేటట్టు కాగితాలమాత్రం, అర్థరయిచ్చి అచ్చువేయించుకొనేవారే సక్లెచేసుకొనేటట్టు ఈ రకంగా రెండువిధాలుగా ప్రింటింగు జరుగుచున్నది. కాగితాలు సక్లెచేయకుండా ప్రింటింగుమాత్రం చేస్తే, ప్రింటింగు ఖర్చువేస్తారు. వ్రెస్టునాళ్లు కాగితాలుకూడా సక్లెచేస్తే, కాగితాలు ఖరీదువేరే, ప్రింటింగు వేరేచార్జీ వేస్తారు. అట్లాంటప్పుడు కాగితాల ఖరీదు దానిమీద నేల్సుటాక్సు, ప్రింటింగుకు చార్జీ, దానిమీద turnover tax ప్రభుత్వం వ్రెఫోలెనుండి వసూలుచేస్తున్నది. ఈ turnover charge కాగితాలమీద నేల్సుటాక్సుతో కూడా కలిసిన మొత్తముమీద టాక్సు పడుతున్నది. ఈ చిన్నవిషయం ప్రభుత్వం గుర్తించి దీన్ని మార్పుచేయటానికి ప్రయత్నించాలి. ఒక జిల్లా కోర్టు తన తిప్పిలో ఇట్లా వసూలు చేయటానికి పీలులేదని కూడా చెప్పింది.

“మూక విషయం చెబుతాను వ్రెస్టునాళ్లు exercise books అచ్చువేసేటప్పుడు పుస్తకానికి వై అట్ట మాత్రమే ప్రింటింగుచేసివేస్తారు. అట్లాంటప్పుడు కాగితాలు సపయవ్రెస్టు సప్లయ చేసినప్పుడు కాగితాలమీద sales-tax వేసి వస్తున్నది. అక్కడ ఒక sales-tax యిక్యవలసియున్నది. వ్రెస్టునాళ్లు ఈరాఫర్ వేసి పుస్తకము కుట్టి యిస్తున్నప్పుడు తను చేసేది రాఫరుమాత్రమే అయినా పుస్తకము మొత్తము ఖరీదు మీద turn over tax విధించి వసూలుచేస్తున్నారు. ఈవిషయం పరిభ్రష్టం వారు గుర్తించాలని మనవి చేస్తున్నాను.”

10-10
a.m.

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—“ Sir, in reply to the hon. Member Mr. Krishna Rao's allegation that nowadays very meagre wages are paid. I might say that even that has to be taken into consideration while assessments are made. I may say that these are not cases of wages paid “in general.” Only particular types of concerns where these wages are paid are taken into consideration. For example, electro-plating work is a special work. We are not altering in general for all types of wages. Only for the types of work, we have come forward with amendment. Electro-plating is a special type of work, and the wages paid are expected to be high. So, instead of 20 per cent, we have deducted 27 per cent. In the case of textile dyers and printers, we consider that their cases have to be viewed rather sympathetically, particularly in view of the special circumstances of the trade. We have given a deduction of 50 per cent instead of 20 per cent. Again, in the case of sculptural contracts relating to works of art, we thought that art should be encouraged. That work was of a special type, and the wages paid therein were also high. Every wage earner and labourer cannot get into this type of work. So, we considered a special percentage of deduction was necessary in art. Therefore, we have given 70 per cent. These are the three types wherein we have given special concessions, and not in any other case as the hon Member seems to imagine.

“The hon. Member Vavilala Gopalakrishnaiah has not touched any of these three types. But he has gone out of the purview of the amendment. He said that special concessions are necessary for paper, and that we have to take that into consideration. I might

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tell the hon. Member that it does not arise here. When the General Sales Tax Act is being amended, I shall certainly bear the suggestion of the hon. Member. Sir, with these words, I commend my motion to the acceptance of the House."

MR. SPEAKER :—" I shall now put the motion to the vote the House. The question is—

' That the following draft amendments to the Madras General Sales Tax (Turnover and Assessment) Rules, 1939 (published with Revenue Department Notification No. 818, dated the 12th September 1939, at pages 1-5 of the Extraordinary issue of the *Fort St. George Gazette*, dated the 15th September 1939, as subsequently amended), which it is proposed to make in exercise of the powers conferred by section 3, sub-sections (4) and (5), of the Madras General Sales Tax Act, 1939 (Madras Act IX of 1939), be approved.

Draft amendment (1) (ii) relating to item (cc) in rule 4 (3) shall come into force on the 1st April 1953.

DRAFT AMENDMENTS.

[Vide pages 755-758 supra.] "

The motion was put and carried.

(3) REPORT OF THE PUBLIC ACCOUNTS COMMITTEE ON THE ACCOUNTS FOR 1948-49.

* THE HON SRI C. SUBRAMANIAM :—" It is agreed that this item may be taken up as the last item in this session. So, the next item on the Agenda may be taken up now."

III.—GOVERNMENT BILLS—Cont.

(2) THE MALABAR TENANCY (AMENDMENT) BILL, 1953.

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" Mr. Speaker Sir, . . ."

SRI T. C. NARAYANA NAMBIAR :—" Sir, on a point of order. Rule 70 (1) of the Madras Legislative Assembly Rules says—

' 79. (1) At any time after the expiry of six days from the publication of a Bill in the Gazette, the member-in-charge of the Bill may make one of the following motions in regard to his Bill, namely :—

"(a) that it be taken into consideration by the Assembly either at once or at some future day to be then specified; or . . . "

I am also aware of rule 115 under which the Hon. Speaker can waive the period of notice. But this is not mandatory. It is left to the discretion of the Hon. Speaker. My submission is that in view of the fact that we had no time to study the Bill and in

[Sri T. C. Narayana Nambiar] [2nd April 1953]

view of the fact that the Bill is not satisfactory, I request you to use your discretion and not allow the Government to move this Bill to-day."

MR. SPEAKER :—" The motion is only for setting up a Joint Select Committee."

SRI T. C. NARAYANA NAMBIAR :—" Even then the principles of the Bill will have to be discussed."

MR. SPEAKER :—" The hon. Member will have ample time to discuss it in the Joint Select Committee. The Hon. Minister will now move his motion."

* THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" Sir, I beg to introduce the Malabar Tenancy (Amendment) Bill, 1953, and move—

' That the concurrence of the Legislative Council be obtained for setting up a Joint Select Committee of both the Houses consisting of 24 Members (16 Members from the Assembly and 8 Members from the Council) to consider the Malabar Tenancy (Amendment) Bill, 1953, and that the following Members of the Assembly be nominated as Members of the Joint Select Committee :—

The Hon. Sri K. P. Kuttikrishnan Nair.

.. C. Subramaniam.

.. M. A. Manickavelu Naicker.

Sri N. Gopala Menon.

.. A. Appu.

.. E. K. Sankaravarma Raja.

.. Y. Manjaya Shetty.

.. K. Rajaram.

.. T. N. Venkatasubba Reddi.

.. V. R. Nagarajan.

.. V. Balakrishnan.

.. C. H. Kanaran.

.. T. C. Narayanan Nambiar.

.. V. R. Krishna Ayyar.

.. P. Ramamurthi.

.. K. M. Seethi.'

In moving this Bill I would like to give a brief outline of some of the important land-marks in the history of Tenancy Legislation in Malabar.

" A measure to protect the interests of the tenants of Malabar was first passed in 1887. The provisions of that Act with considerable amendments were subsequently embodied in the Malabar Compensation for Tenants Improvements Act, 1889, which

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continues to be in force even now, and assures to the tenants compensation for their improvements in the event of eviction.

" The above enactment however did not impose any check on evictions and agitation for a more comprehensive piece of legislation continued. The Malabar Tenancy Act, 1929, was the outcome of this agitation. It provided for the fixation of fair rent in the case of cultivating verumpattamdars and cultivating kuzhikanamdars. It restricted the grounds for eviction and fixed the rate of renewal fees. It also nullified the effects of 'melcharth' by which the landlord could transfer a part of his interest in any land held by his tenant which entitled the transferee to evict such tenant, one of the condemned practices in Malabar.

" As certain defects were noticed in the working of the Act, the Government appointed the Malabar Tenancy Committee in 1939 to study matters on the spot and make suggestions. Meantime, the Government felt that certain amount of relief was necessary in the case of evictions and so Act XXIV of 1945 was passed by which eviction was restricted further. Prior to this a minor amendment to section 51 was also enacted in the same year.

" The agrarian unrest continued in Malabar and as a result the report of the Malabar Tenancy Committee referred to above was taken up by Government for examination, and after consideration of it, an extensive legislation on land tenure in Malabar was undertaken. A Joint Select Committee of both the Houses went into the question in detail and toured extensively the whole of Malabar and portions of South Kanara to study the problems. After a careful consideration of all the facts the amending Act of 1951 was passed.

" The main features of the Amending Act of 1951 were that it provided for the fixation of fair rent in respect of all wet and garden holdings including kudiyiruppus, ulkudis, and kudikidappus. It also contemplated the preparation of a record of rights in respect of all the holdings in Malabar for which fair rent was fixed. This was an undertaking which involved much labour, time and money. It required the co-operation and support of both landlords and tenants in its work. A Rent Settlement staff was employed as soon as the Act came into force, viz., 15-3-1952, but there was dissatisfaction as to the working of this machinery because people were afraid that undue delay and unnecessary expenses would result in implementing this scheme.

" After an assessment of all the factors involved, the Government came to the conclusion that even though the fixation of fair rents of all the holdings was scientific, considering the other aspects, it was better that a less complicated and speedy machinery was devised. As a result of that, the Rent Settlement staff was disbanded in August 1952. There is still dissatisfaction among the people regarding the other provisions of the Act. The

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Government have received memoranda from various interests in land from Malabar and after a careful consideration, they have now decided to bring this Bill.

“ The Government consider that, in view of the fact that the Amending Act of 1951 came into force only from 15th March 1952 and without giving a fair trial to the Act, it would be premature to revise all the important sections.

“ Under this Bill, the fair rents will be fixed by Rent Courts presided over by Revenue Divisional Officers. The fair rent determined can be revised after 12 years as the Government consider that the existing period of 20 years is too long. Fair rent will be fixed only in cases where there is dispute and either the landlord or the tenant can apply. The landlord can apply only after the expiry of three years from the date of passing of the Bill. The tenant is also given right to get the rent revised within that 12-year period for sufficient cause.

“ As a result of the above modifications, this Bill amends section 28 so as to indicate what the rent payable will be if the fair rent is not determined.

“ The Bill also provides that if a cultivating tenant is to be evicted for *bona fide* cultivation by the landlord, the tenant should be given one year's net income which he secures from the land, over and above the amount he is entitled to get under the existing law.

“ Fort Cochin is a small town with a large population and a good portion of the people are living in what are called kudikidappus. The Amending Act of 1951 gave certain concessions to the holders of kudikidappus in Fort Cochin. Representations have been received that similar concessions should be granted in other places also. The situation in Fort Cochin is different from that prevailing in other areas. The Government have, however, provided in the present Bill that ulkudi-holders outside Fort Cochin should not be evicted unless alternative sites are offered in the same village or without the giving of three full years' notice.

“ As regards fair rent for dry lands on which pepper is cultivated as the principal crop, provision has been made in this Bill for giving as tenant's share one more year's produce. Provision is also made in the Bill for the landlord and the tenant to agree by a registered deed to pay as rent not more than 1/6th of the pepper produce every year.

“ The operation of sections 54 and 55 of the Amending Act of 1951 and the Madras Tenants and Ryots Protection Act has held up the trial of about 20,000 suits as they have been stayed by the provisions of the above two Acts. This Bill further seeks to repeal the sections and the Act referred to above for a speedy disposal of all the stayed suits.

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" The other provisions in the Act which are explained in the Statement of Objects and Reasons do not call for any special comments. The Bill will, no doubt, be examined by the Joint Select Committee in all its aspects and any suggestions which the hon. Members may have to offer, will, I am sure, be of great use to the Committee in its deliberations.

" Sir, I am sorry to state that the hon. Member Dr. K. B. Menon and other hon. Members of his Party are not willing to serve on the Joint Select Committee. But I can assure the House that all the representations that they may have to make will be heard by the Joint Select Committee and that the Government will try their level best to adapt the provisions of the Bill according to the wishes of the majority of the people of Malabar.

" I request the House, Sir, to accept my motion."

MR. SPEAKER :—" Motion moved—

' That the concurrence of the Legislative Council be obtained in setting up a Joint Select Committee of both the Houses consisting of 24 Members (16 Members from the Assembly and 8 Members from the Council) to consider the Malabar Tenancy (Amendment) Bill, 1953, and that the following Members of the Assembly be nominated as Members of the Joint Select Committee :—

The Hon. Sri K. P. Kuttikrishnan Nair,
 ,, C. Subramaniam,
 ,, M. A. Manickavelu Naicker,
 Sri N. Gopala Menon,
 ,, A. Appu,
 ,, E. K. Sankara Varma Raja,
 ,, Y. Manjaya Shetty,
 ,, K. Rajaram,
 ,, T. N. Venkatasubba Reddi,
 ,, V. R. Nagarajan,
 ,, V. Balakrishnan,
 ,, C. H. Kanaran,
 ,, T. C. Narayanan Nambiar,
 ,, V. R. Krishna Ayyar,
 ,, P. Ramamurthi, and
 ,, K. M. Seethi.' "

SRI P. K. GOPALAKRISHNAN :—" Sir, I move—

' That the Malabar Tenancy (Amendment) Bill, 1953, be circulated for eliciting public opinion.' "

The amendment was duly seconded.

* DR. K. B. MENON :—" Sir, I wish to make a very small statement about the Praja Socialist Party not serving on the Select

[Dr. K. B. Menon]

[2nd April 1953]

Committee. I believe that very little purpose will be served by referring this Bill to a Joint Select Committee. The Government are aware of the grave situation created in Malabar not only by the deep resentment against the Bill but because of the flood of evictions and the stay orders that came in its wake. The Government received memoranda protesting against the Act from all the political parties including the Congress and subsequently, realising perhaps the gravity of the situation, the Hon. Minister called an informal group meeting of the Members from Malabar and we had a heart-to-heart talk over a cup of tea. We were very hopeful after that discussion that the Bill introduced by the Government would be acceptable. On the other hand, we find that it is very reactionary and that it is kind to the landlord but very cruel to the tenant. If we had been convinced that it was innocence or ignorance that induced the Government to introduce this Bill, we would have had no objection in co-operating with the Joint Select Committee. But we feel that by serving on the Joint Select Committee we will not be able to do very much. So, when the Bill comes up for general discussion, we shall avail of the opportunity and say whatever we wish to say then. Thank you, Sir."

* SRI K. P. GOPALAN :—" Sir, I move the following amendment which stands in my name :—

' Add at the end the following :—

" and that representations from various representatives of tenants and other organisations, oral and written, be received and the report be submitted before 31st May 1953."

SRI V. R. KRISHNA AYYAR :—" I second the amendment, Sir."

SRI R. KRISHNAN :—" Sir, I move the following amendment :—

' Add, at the end of the motion the words " including all Malabar M.L.As. and M.L.Cs." ' "

The amendment was duly seconded.

SRI T. C. NARAYANA NAMBIAR :—" Sir, I move the following amendment which stands in my name :—

' That the Malabar Tenancy (Amendment) Bill, 1953, be circulated for eliciting public opinion especially from the people of Malabar and from those of the parts of the Kasargode and Gudalur taluks of South Kanara and Nilgiris districts where the Malabar Tenancy Act is in operation.' "

The amendment was duly seconded.

SRI M. NARAYANA KURUP :—" Sir, I have given notice of an amendment which I personally delivered yesterday to the Assistant Secretary to the Assembly. It reads as follows :—

' Add at the end the words " It shall have power to scrutinise all the sections of the principal Act." ' "

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MR. SPEAKER :—“ It is an amendment not to this Bill but to the original Act. ”

SRI M. NARAYANA KURUP :—“ It is an amendment to the Government motion, Sir. The Government motion is that the Bill be referred to a Joint Select Committee of both the Houses. My amendment is that the Committee shall have power to scrutinise all sections of the principal Act.”

MR. SPEAKER :—“ That means the hon. Member wants the Committee to go through all the provisions of the Act.”

SRI M. NARAYANA KURUP :—“ Sir, here is an amendment to the principal Act. No doubt, if the Bill, as it is before the House, is referred to the Joint Select Committee, it will have power only to look into the sections which are before the House, that is, the subject-matter of the amendment. But, as was done in the case of the Preventive Detention Bill in the Parliament, if the House is pleased to empower the Joint Select Committee to go into all the sections of the principal Act, certainly it can do so. Therefore there is no question of its being ruled out of order.”

10.30
a.m.

MR. SPEAKER :—“ So, the hon. Member wants permission of the House to go into the original Act. If so, he can move his amendment.”

SRI M. NARAYANA KURUP :—“ Yes, Sir, I move—

‘ That the following be added at the end :—

“ It shall have power to scrutinise all the sections of the Principal Act.” ’ ”

The amendment was duly seconded.

SRI V. R. KRISHNA AYYAR :—“ Mr. Speaker, Sir, the Malabar Tenancy Amendment Bill, which was promised for long, as the House will certainly be aware, has at long last been presented to the House. When one looks at the Bill, one is astonished that after all the Governmental mountain in labour has brought forth this legislative mouse. People will certainly be distressed to know that all their expectations have been dashed to the ground and their fears have been fulfilled if they just see or read or scan the present Bill. It is absolutely necessary, even as the Hon. the Law Minister has done, to understand the background in which the agitation for land reform in Malabar has grown and against which the present Bill has got to be understood or analysed. The primary demands of the agrarian population in Malabar for right over a century now have been running along very clear and well-defined lines. As early as 1850 or even earlier than that, there had been considerable agrarian unrest in Malabar when the demands put forward by the agrarian population were protection against rackrenting, protection against insecurity of tenure, protection against feudal levies like *manusham*, that is, renewal fee and protection against the demand that waste lands owned by landlords called *jenmis* should be made available

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for cultivation in spite of being occupied by the tenants as monopoly. These were the primary demands then put forth. Then, as early as 1851—and I go a little earlier than even the Hon. the Law Minister has gone, for he has started with the year 1880—we had one Mr. Strange, who was appointed by the Government to go into the question of the agrarian unrest in Malabar and make a report. He submitted his report which, just like the reports which are submitted now, hybernated for long. Then, as late as 1880, one Mr. Logan was asked to make a report on the same subject because the agrarian unrest became more profound and deep and discontent among the agricultural population was rising. He knocked at the bottom of the theory of the divine right of the jenmi to the land. It may be interesting for friends from other districts to know about the landlord having absolute right in Malabar to the land. According to this particular local theory, if I may euphemistically put it, the jenmi is almost the divine owner of the land, he is the absolute proprietor, the State is not the proprietor of the land, he can exact all that he can from the tenants by virtue of the sacrosanct right he has and all that. Mr. Logan went into the whole matter from a historical point of view and held that it was an untenable right and that the real proprietor was the occupant of the land or the cultivator. But, notwithstanding his view, it did not commend itself to local authorities and the Government did not implement his recommendations. I must also point out that we are still in the days of Mr. Logan's report which pointed out that rackrenting was extant and should be prevented by adequate legislation. He also said that occupancy rights were not conferred upon the tenants and everywhere tenants were harassed and oppressed by eviction suits and urged that protection should be given against oppressive measures. He further contended that waste lands belonging to jenmis and even private lands should be given on lease. These recommendations, although they were scintillating, were really ameliorative of the conditions of the agricultural population. At that time they were not paid heed to and the report also hybernated for long.

[At this stage Mr. Deputy Speaker occupied the Chair.]

“Then came the Madhava Rao Commission and his report in 1913. Coming to modern history, Sir Charles Innes, who later became a Judge, was the Collector of Malabar and he also supported the theory of security of tenure for tenants and confirmed the view that the landlords of Malabar were of an oppressive type. Then the War came and nothing happened so that we can now go into what is called the Malabar Compensation for Tenants Improvements Act which came into force later. It was a very mild measure and just assured some kind of compensation to the tenant when he was being elbowed or bundled out. It gave some sort of an illusory protection to the tenants with the result the agrarian unrest again continued. When the new Legislative Council was formed in the year 1920, Sir M. Krishnan Nair introduced a Bill and got it passed by the Council. But the Governor withheld his consent. There were reactionaries living then and

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unfortunately we have not got rid of that reactionarism even now under the new Republican Constitution. And now the new measure suggested is hardly progressive since it does not cut at the root of centuries—old reactionary practices. It does not meet the demands and aspirations of the Malabar people and it is most primitive in its scope. Sir, as I said, the Governor withheld his consent. Then, in the year 1929, came the Raghavayya Committee which went into the matter. There was a report prepared on the occasion and an enactment was passed in 1929. Unquestionably, this measure marked a milestone in the march of the ryots of Malabar towards better living conditions. However, at the same time, it should be said, the actual cultivator did not obtain any relief by the Act of 1929. I shall explain how. The measure no doubt sought to give to the tenants such benefits as fair rent, for instance, and this was the first time that the idea of fixing fair rent was mooted. But the formula adopted in the 1929 Act for arriving at the fair rent was hardly satisfactory because it was very much against the tenant. There was another idea which germinated from it and that was the fixity of tenure. The concept of security of tenure or occupancy right for the tenant meant relief from the oppressive and harassing landlords—jenmis—who resorted to eviction suits. Here also what was done was a series of conditions governed the conferment of such a right just as in the Constitution the Articles relating to Fundamental Rights are hedged in by so many clauses which sometimes take away or whittle down the effect of the Fundamental Right. Similarly, a kind of right was given to the tenants by way of security of tenure but a number of conditions were laid down under which only a suit for eviction could lie. These took away the effect of the provision conferring the right. Under the 1929 Act, a landlord could go to the Court and tell the Court that he required the whole land for his own cultivation. In that way he could evict a tenant. This was an easy device. The landlord came, filed a suit, entered the box and said: 'I require the land for my own cultivation.' Who could say he is dishonest? And the Court said: 'I see no reason why I should disbelieve the man. I pass a decree for eviction.' This menace grew in such a large proportion that thousands of suits were filed when the War came and the price of agricultural land went up. During the War we did not have any democratic Government, no Assembly functioned and the people's voice could not be heard directly by the Government. However, a District Judge at the time—that is, during the Advisory regime under Section 93 of the Government of India Act—drew the attention of the High Court to the menace of the ever-increasing evictions and the High Court in its turn drew the attention of the Government. It is really worthwhile to remember that this Advisory regime under Section 93 did pay heed to the advice of the High Court and brought in the amending legislation of 1945. Under this Act, mere requirement for the land by the landlord was not sufficient and he was required to establish the need for the same. However, even this did not really protect the tenant against eviction. Eviction suits continued to increase in number.

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The rents levied by the landlords were exacting and exorbitant and people were oppressed by the feudal levies like *manusham* or renewal fees. This was persisted in under the law. Many of the actual cultivators and practising lawyers know the difficulties that followed this Act so far as tenants were concerned. The word 'tenant' might mean anything—the cultivator, an intermediary or anyone else. But the actual tiller of the soil, the man who actually cultivated the land and the man who had his feet on the land and who tilled and raised crops on the land hardly got any protection under the 1929 Act. The position was the same even under the Amendment Act of 1945.

10-46
a.m. " Although it must be stated that there was some kind of concession granted to the tenants after the Amendment Act of 1945, agitation continued because the ryots felt that the lion's share of the produce went to the landlords. As a result of this agitation political parties in 1946, during the election campaign promised all kinds of things. It might be that promises are made freely during election times. But the Kerala Provincial Congress Committee appointed a committee in 1946 or 1947 to go into the question of land reform in Malabar. That Committee submitted a report. A leading Member of that Sub-Committee happens to be a District Judge now. That Committee cannot be said to be a revolutionary Committee. That committee submitted a very conservative and reasonable report. The Committee recommended short term and long term reforms. But I am afraid the amendment contained in the Bill before the House or the Malabar Tenancy Amendment Act, 1951, did not grapple with the problems or bring into force any of the recommendations or even major recommendations of the Kerala Provincial Congress Committee. It is still slumbering in the files of the Congress Committee. The report did not satisfy the aspirations of the tenantry. But at the same time it was a progressive step that was recommended therein and it is therefore a progressive document. I drafted a Bill based on the recommendations of the report, called the Agrarian Relations Bill and gave notice of it to the Hon. Speaker. I believe in due course after the technical hurdles are overcome that Bill may come up before the House. It may be possible to understand this Bill in the light of the other Bill. It may also be possible to see how even elementary reforms have not yet been brought into force. Vast strides are being made in the matter of land reform in other countries and we are going in the reverse direction. The report made by the Kerala Provincial Congress Committee went unheeded. The Government then was certainly a Congress Government. It did not do anything at all to implement the recommendations made in the report.

" Then, Sir, the Kuttikrishna Menon's Committee which went into the question of agrarian reforms in 1938 submitted a report which also was shelved by the Madras Government. No action was taken on that report also. Then a special officer was appointed. The Government have a supreme faith in these special officers and committees in these days. A special officer was

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appointed to go into the report. The special officer also submitted a report in 1947 or 1948. Then came the agitation for agrarian reforms. It became impossible for the Government to resist the demand of the ryots of Malabar and the then Law Minister, a Malayalee, felt the impact of the agitation in Malabar and said he would bring a Bill with substantial changes in the Law of 1929. The Bill as originally published seemed to contain good features, but what actually happened was, in the Select Committee the various attractive provisions that had been there in the Bill were removed and ultimately when it emerged from the Select Committee, was passed into law and placed on the Statute Book, it became very reactionary and people hardly liked it. There was again opposition to the Act and discontent among the ryots in the district. During the recent elections political parties gave definite pledges that substantial changes would be effected in the land tenure Acts. The United Democratic Front published even a booklet in which they said they would oppose the present Act and never permit it to become law and something ameliorative would be substituted in its place. I hope the present Law Minister would still be remembering the reverberation caused in the minds of Malabar ryots regarding the Malabar Tenancy Amendment Act. The objection was not merely in regard to the 'ulkudis.' I am sorry to call these reforms puny, unsatisfactory, trifling and altogether insignificant. The real objections were to the vexatious features of the Act which are sought to be amended by the present Bill. What are they? Let us understand what the ryots of Malabar have been clamouring for. In that light only we have to see what the present Bill promises to them. The main objection to the Act of 1951 or as amended by the Amendment Act was that the rents were still high and the people wanted that this exorbitant rent should be reduced. The Malabar Tenancy Act did not satisfy the demand of the ryots. What happened was that two-thirds of the produce was to be given to the landlord. Hon. Members of the House should remember that lands in Malabar are not as fertile as lands in other districts such as Tanjore and others. The lands there are very poor and there is no water-supply at all in Malabar. Through the hard labour of the tenants alone that something worthwhile could be produced from the lands in Malabar. They have also nothing to invest on agriculture. According to the Act of 1929 two-thirds of the share of the produce went to the landlord, a lion's share, an unjust share. People objected to it. The Malabar Tenancy Act seemed to promise some kind of relief by reducing the share of the landlord to half the produce. But as the Bill finally emerged from the Select Committee it was stated that the landlord would get half the share of the produce from the wet lands but the tenants should pay half the land revenue. Ultimately when calculated it was found that the original two-thirds of the produce for the landlord was arrived at by a different method. Therefore there was no benefit at all for the tenants. People expected much. They asked for substantial reduction of the rent. But the amendment Act did not give them that relief. Regarding garden lands, originally the Act gave one-fifth and two-fifths.

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Garden lands were mainly planted with coconut and arecanut trees. The amending Act simply reduced it a little by one-third and one-sixth. This was not much. Not only this. There was an atrocious feature in the 1951 Act which made it repugnant to the ryots of Malabar. What happened was the high prices of the commodities that prevailed after the War were taken into account in fixing fair rents with the result that a man who was paying Rs. 50 before had to pay even Rs. 250 or Rs. 500. The rent was thus not reduced but actually enhanced. That was the effect of the 1951 Act. This was therefore not an ameliorative provision. There was considerable objection to this fair rent provision of the 1951 Act.

"Then, Sir, there is the question of eviction. In this direction the Malabar Tenancy Act of 1951 did not give much to the tenants. Even the 1945 amendment enacted during the Advisers regime gave something. Nothing more than that was given in the later Act except that certain restrictions were put upon Sthanis. When certain charitable institutions evicted tenants from their holdings they were prevented from doing it. That did not very much affect the problem, although it did give some relief. The demand of the tenants was that they must be given absolute immunity from eviction. We can understand that no tenant, no agriculturist would be interested in producing more, even though we might cry hoarse, 'Grow More Food', 'key up production potential'—very fine phrases indeed given out always when there is some opening ceremony or festive occasions. No cultivator would be willing to sink his labour and money on the land unless he is certain that for what he gives by way of labour and money he will get a substantial proportion by way of his share in the produce and continue to get that for ever and ever for his children and for his grandchildren. But what happened was a lion's share was taken by the landlord. There was no security of tenure for the tenant. If the tenant happened to grow coconut, only ten years hence the area becomes a fine garden. Then the landlord takes a fancy for the land and requires it for his own cultivation and files a suit for the eviction of the tenant. Would any tenant be inclined to improve the land or to grow more coconut trees or manure the soil, or improve the production if he is not to share the produce and the land is not to continue under his possession? It is almost fundamental that he should have security of tenure. This must be conferred upon him. This was not done under the 1951 Act. Except in a small measure, we continued the provisions of the Act of 1945 which was passed by the Advisers regime. One of the objectionable features of the 1951 Act was that the people's demand for security of tenure, for occupancy rights and absolute immunity from eviction was not conceded.

"The other thing was that the people really wanted that waste lands in Malabar must be distributed to landless poor labourers and other agriculturists who did not have lands to cultivate. In Malabar unlike in other districts, waste lands are substantially owned by private landlords and not by Government. Thousands and

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thousands of acres of waste lands belong to jenmis. They are arable waste lands. Sir, some months ago the Hon. the Revenue Minister answered an interpellation of mine and said that there are about 18 lakhs of acres of waste lands in Malabar. Out of this a substantial portion really belongs to the jenmis. They are not allowed to be cultivated and therefore there is any amount of fugitive cultivation. One of the main agitations since 1931 was that the waste lands belonging to the landlords, which were arable should be put to cultivation and leases granted by a Governmental agency to tenants. This was not completely implemented in the 1951 Act. It was only taken note of in the 1951 Act, in that it was stated that the Government would notify the implementation of section 52-B of the Malabar Tenancy Act which provides for the improvement of waste lands. Although this Government came into power about a year ago, still no steps have been taken to give one cent of waste land to a cultivator yet. And this is proof of their bona fides, if I may be pardoned to say so, in implementing the provision. Waste lands have got to be given to the poor landless labourers. That has not been done. People have been clamouring for it and they have been clamouring for the implementation of the provisions of the 1951 Act.

10-50
a.m.

“ It is better if some kind of machinery is created to end the diarchy in land in Malabar. It has always been stated by the tenants, as I said even as early as 1880 also, that they are the real cultivating owners of the land, that the kanamdars or jenmis are super-imposed and are non-existing and that the Government are expropriating the land by giving absolute proprietorship to the kanamdars or jenmis. In 1938 this matter came up for examination by the Kuttikrishna Menon Committee and the questionnaire covered this particular point whether the jenmi system or landlord system should not be abolished and whether it had not outlived its utility in Malabar and whether the right of a jenmi was so sacrosanct as not to be abolished. I do not know the general opinion. But certainly certain dissenting minutes to the Kuttikrishna Menon Committee Report said that the landlord or jenmi system must be abolished in Malabar. It is a longstanding struggle between the landlord and the tenant, the landlord saying that the tenant is not giving the rent and the tenant saying that the landlord is trying to take more rent. Therefore, this system of diarchy in land in Malabar should be ended.

“ In Malabar, there is another peculiarity. There is a pyramid or chain of intermediaries, each one of them just taking some more rent from the lower man and passing it on to the top pyramid. There are four or five intermediaries between the actual cultivator and the topmost jenmi who is like a coping-stone, if I may say so. The actual cultivator is overburdened by persons who really have nothing to do with agriculture. Almost all the political parties have been agitating for the abolition of this system of intermediaries. Yet there is really no provision in the 1951 Amending Act for the abolition of the system of landlords or jenmis. The jenmi system must be abolished. Sir, these are the primary

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demands that have been put forward by the ryots of Malabar all through: (1) that the system of landlords or jenmis must be abolished, (2) that there should be fixity of tenure and absolute security from eviction, (3) that waste lands should be given over to the landless labourers, and (4) that there must be some machinery for giving compensation according to the Constitution. Compensation should be paid if we take away the rights. Therefore, let us start peasant proprietorship first in Malabar which is the sign-post of this State. Let it be known that Madras State is the first in the country to introduce peasant proprietorship. Sir, these are the primary demands. But I may describe the present measure as a legislative mouse of the Government mountain in labour. The Bill that has been brought forward is altogether jejune, and retrograde. In fact the amending Bill was opposed tooth and nail by all the political parties except perhaps the Congress which was rather silent because it was diffident in the last elections. To-day we find, after 1½ years, after so much promise that they were considering the matter and after so much agitation, the Government have at long last produced a piece of legislation which is hardly a credit to the author and I must be pardoned for saying so. It contains provisions which are positively retrograde in certain respects and hardly progressive in others.

“In regard to fixing of fair rent also, nothing has been done. What has been done is to correct a verbal mistake, that too in respect of pepper cultivation. There was a demand that it should not be one-fifth of the pepper produce, but it should be one-sixth. Everywhere it was only one-sixth. But in the 1951 Act, it was stated as one-fifth instead of one-sixth. The demand of the people is far high. As against one-tenth, one-fifth has been corrected into one-sixth. This is only a correction and not an amendment. It is not ameliorative. It is only a correction of a verbal mistake. Fixation of fair rent has been one of the main demands all along. There has been so much of promise, but nothing has been done. Even in regard to fixity of tenure, I am sorry to say, the Malabar Tenancy Legislation has been altogether ignored. Sections 14 and 20 deal with evictions and nothing has been done. Lest it should be stated that nothing has been done, the Hon. Law Minister stated that one year's net produce, i.e., fair rent minus the revenue, will be paid to the tenant when he is bundled out of the land. That is not what the people wanted. What they wanted is security of tenure so that the gross produce in the land may be increased. Therefore, what I want to say is that sections 14 and 20 dealing with evictions have been left untouched. Therefore I say it is really by-passing the fundamental demand of the agriculturists. In the 1951 Act there is a provision that those who want to file eviction suits in respect of fixity of tenure, must file suits within one year from the date when the Act comes into force. The Act came into force on the 15th March 1952 and so all the eviction suits must be filed before the 15th March 1953. A very curious and tragic spectacle is that all the lawyers' offices in Malabar are overcrowded. One lawyer was telling me that he

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had already received 70 suits on the 14th March 1953. Another lawyer told me that he had been filing 50 suits a day for the previous ten days. In all about 4,000 suits had been filed in about three weeks' time in one district of Malabar. If the Government's policy is 'let sleeping dogs lie', it is a different matter. It is really a great injustice to the tenants. Is it the feeling of the Government that no protection is required for the tenants? Is it their idea that many of the 4,000 suits will be dismissed under the present law? It is hardly a solution of the problem, because if a tenant is disturbed from his normal life, if he is dragged to the munsif's court and to the sub-court and to the other higher courts, that is undoing his security, especially because the tenant is the weaker party and he can hardly afford the luxury of litigation. This is a case where the primary demand of the people of Malabar for a fixed tenure has been ignored by the Hon. Law Minister and that too in spite of the tremendous amount of litigation that has been instituted for the eviction of tenants.

11
a.m

"Coming to the third important provision, viz., the machinery for the distribution of waste lands, I submit there is no machinery actually at all."

SRI A. RAMASWAMI THEVAR :—"On a point of order, Sir. The hon. Member Mr. Ramaswami is reading a newspaper in the House. Can he read a newspaper when a debate is going on?"

SRI V. R. KRISHNA AYYAR :—"Sir, Mr. Ramaswami must have found so very little in this Bill that he has thought it fit to be looking into the newspaper. But to continue my point where I left it.

"My point is: there are thousands and thousands of acres of waste lands, lakhs of acres, which remain to be cultivated in Malabar. Malabar is a deficit district, and what is mainly wanted is more and more production of foodgrains; and if in this time of crisis, of stress and of pressure of events, the Government do not create a good and strong machinery for the distribution of waste lands to the poor people, to the agriculturists and to others who are willing to bring them under cultivation, I should submit it is a pity. This Bill which does not take note of all these longstanding demands is most unsatisfactory also in this, one of its fundamental features.

"Lastly, in regard to the diarchy of the landlord and tenant on land, nothing has been done. What all is provided here is a few provisions here and there which are against the interests of the tenants as a whole. Take, for instance, the *ulkudi*. *Ulkudi* means a place where a Harijan agricultural labourer puts up a small humble hut in a site given by the landlord and belonging to the landlord, for his living, because he is employed by the landlord on serfdom terms to work on his land. Under the 1951 Act, what was done was to make a provision that these people who could be evicted in a period of three years, would have permanency of occupancy

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if the Government notified that area, and the ulkudidar could continue on the land. As I said, most of the ulkudidars are Harijans and I suppose most of the Harijan Members of the House will join me in protesting against the eviction of these poor people. What is done is generally to send a registered notice to the ulkudidar. Now, a Harijan may not know what a registered post is; he may throw away the notice, and the landlord may therefore bring up a suit against him after some time and drive him out of the ulkudi. One of the major provisions in this Bill, if I may be pardoned for saying so, is the cheap and attractive provision that rent settlement officers would be abolished and there would be rent courts in their place. Sir, this is a seeming attraction, because I know formerly there was considerable objection from various political parties to the existence of these rent settlement officers and it was stated that they were doing quite a lot of harm to the people of Malabar. It was of course partly true and partly wrong. The first real objection was that these officers were fixing fair rent after a very elaborate procedure of arithmetical calculation and after taking into account all kinds of considerations, relevant and irrelevant, with the result that ultimately the rent fixed was almost always higher than the fair rent. But the second and more real complaint against them was that most of them were drawn from places outside Malabar. Even the Hon. Minister agreed that it is a sort of Chinese puzzle, that we have in Malabar to-day many Deputy Collectors who are dealing with cases on the magisterial side, drawn from districts like Tirunelveli and Madurai or from the Telugu area who cannot speak or understand Malayalam and who when asked to say what is a 'verumpattam' or a 'kuzhikanam' always say something wrong and unsatisfactory. People naturally were not satisfied with such a state of things and because they were not enamoured of the personnel, they became dissatisfied and did not want such officers. There are several cases where the feudal landlords are so big and so powerful and so oppressive that even a tenant who has come ready to apply to the law court will be afraid of doing so. For instance, there is the House Rent Control Act; I know most people in Malabar are paying to-day double and treble the amount of fair rent that may be fixed under the Act. They do not want to negotiate with the landlord; persons who are the weaker party to the contract and who feel the possibility of oppression naturally are under the apprehension that the landlord if antagonized and enraged, may do harm and drag them to the courts in a long-drawn-out litigation. In such cases, as in the case of the factory laws where compulsory benefit is given to the weaker party, we must provide for compulsory benefits to the poor tenants. Again, it is not as if there must always be compulsory fixation of rent. In the working of the 1951 Act, when fair rents were fixed, it was found they were far higher than the contract rent. What I submit is, wherever the contract rent is lower than the fair rent, it is but elementary justice that we should give the benefit of the contract to the tenant, and so, either the contract rent or the fair rent, whichever is less, should be adopted. Somehow or other, this does not seem to be acceptable to the Hon. Minister. He says, 'we

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must have rent courts'. We have in Malabar about twenty munsifs' courts and one almost every ten miles and there are a very large number of lawyers attached to them. It may be easy there; but in North Malabar the position is quite different. If a man has got to go to Tellicherry from a place in the interior, he will have to travel ten or fifteen miles and so he charges more with the result that the tenant finds himself unable to cope up with such kind of litigation and after all, the rent court which might have a superficial appeal in principle, may not be helpful in undoing the high rent. That is why I suggest that contract rent or fair rent, whichever is less, should be made payable. If courts are at all to be given powers, I suggest it is better that civil courts and not Revenue Divisional Officers are given such powers, because these officers have very little experience of civil law, and more especially of a very complicated law as the Malabar Tenancy Act.

"As regards the jenmi system, nothing has been done in this Bill. The proposed Bill therefore is something which I consider as very obnoxious, every inch of it. It is hardly satisfactory in any one respect even; it defeats the aspirations of the people of Malabar and it is my duty and privilege, if I may say so, to oppose it. But I must not stop with saying that. Dr. K. B. Menon has explained already that he opposed it and his party also opposed it, perhaps more vehemently than anybody else or any other party. I wish however to make it clear that while I and certain members of my ilk have consented to serve on the Select Committee, our position should be definitely understood. I shall oppose this Bill inside the Select Committee as I do now, and after gathering necessary evidence I shall try to expose the hollowness of the provisions which are sought to be adopted and imposed on the people of Malabar. I do not accept this Bill or the principle of this Bill or the adequacy of this Bill. When I say that I consent to be a Member of the Select Committee, I do not commit myself to the principles of this Bill right through. All the same, at every stage, I shall draw the people into the Select Committee, examine them, collect evidence and show up the Bill as altogether unsatisfactory. With these remarks, Sir, I oppose this Bill and hold that it is far, far less than what the Malabar people expect this Ministry to do, after all that has happened."

SRI T. C. NARAYANA NAMBIAR :—"Mr. Deputy Speaker, 11-10
I feel it my privilege to inform the Hon. Minister who has moved a.m.
the motion, as well as my colleagues in the Assmbly, that my party, the Communist Party, does not accept this Bill. We are against this Bill. At the same time, from the very beginning I have to make it clear that though we consented to be members of the Select Committee, it does not mean that we are committed to this Bill or that we will accept it. I wish to say at the outset that the provisions in the Bill are so restricted that the people of Malabar will never accept the Bill. That is why the Committee should be authorized specially to go into all the provisions of the Bill and

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make necessary changes to make it acceptable and unless and until that is done, it will be nothing but a betrayal of the verdict of the people and their aspirations.

“ Another point that I have to emphasise on this occasion is this. After all, what is it that the people of Malabar have been fighting for? My friend Mr. Krishna Ayyar has quoted the history of the trials and struggles of the people from the reports of special officers and various documents about which the Government themselves are aware. But it is unfortunate that the Government have not paid any heed to the recommendations of the various committees and commissions that they themselves have constituted. It is surprising that they did not pay heed to the cries and the verdict of the people of Malabar, especially in regard to the amendment of the Act of 1951, at any rate the main issue that was placed before the electorate of Malabar during the last elections. I may say that it was on this issue, and on this issue alone that the Hon. Minister from Malabar was routed—was defeated—in the elections last time.

“ Mr. Deputy Speaker, I wish to say that our peasants, the historic peasantry of Malabar have been fighting—even according to the reports of the Committees set up by the Government of Madras—from 1836 onwards for security of tenure, ulkudi rights, rent reduction, etc. I want to ask whether the Government have granted these things in this Bill? Are the Government contemplating to make suitable amendments so that the peasants will be given a guarantee of security of tenure and that they will be relieved of rack-renting? I do not say that nothing has been given in the Bill. But, what is it that has been given? The Hon. Mr. Madhava Menon, the ex-Minister, wanted the landlords to evict tenants without any reason. Of course, he has also given something to the tenants, but what he wanted to give by one hand has been taken away by the other. In one place in the Act, it is stated, ‘ no suit for eviction of the customary verumpattamdar, kuzhikanamdar or kanamdar shall lie at the instance of the landlord.’ We thought that according to this, the tenant is given security of tenure. But, Sir, the next sentence in it says, ‘ except on the following grounds.’ That means, if you go through these provisions it will be seen clearly that no tenant has got security of tenure and any tenant can be evicted. In fact, it is enough if the landlord on the day of filing the suit, or even the previous day, is convinced that the particular tenant does not recognize his landlordship; he can file a suit against the tenant for eviction. I find that this provision has not been touched in this Bill. As I said in the beginning, something is given. But, what is that something? According to section 5 which seeks to amend the Act of 1951, the tenant will not be given anything. Now, it is claimed that one year's compensation is being given to the tenant. What is that one year's compensation? I have worked it out last night. After all it will come to Rs. 50. That is what I infer. The hon. Mr. Madhava Menon, wanted the tenants to be turned out of their holdings and thrown into the streets. But now the Hon. Mr. Kuttikrishnan Nair wants these evicted tenants to go to Benares for which he would give them the railway fare

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of Rs. 50 and the Cabinet of the Hon. Sri Rajagopalachari, who is god-fearing, want the tenants to go to Benares, the famous Kasi. That only means the tenant is not allowed to eke out his living; he has no security of tenure. Kasi is supposed to be a very holy place and a place of pilgrimage. Sir, my humble submission is, as I have already stated, by consenting to serve on the Select Committee of this Bill, I do not commit myself to the principles of this Bill. I want to make that clear even now.

Sir, another point that I have to say is with regard to the constitution of the committee itself. In connexion with the original Bill the Select Committee was formed consisting of all the members from Malabar. So, Mr. Deputy Speaker, I want to draw the attention of the Hon. Law Minister and the Chief Minister to this fact. Why is it that only four members from the Ministerial party have been selected? Of course, I do not say that they should not be there. They should also be there, because they are also Malayalees and I am sure the glorious tenants of Malabar, the peasantry of Malabar, the united peasantry of Malabar, the democratic peasantry of Malabar would like to see that all the 30 members from Malabar including the Hon. Mr. Kuttikrishnan Nair will put up a united stand and say that this Bill does not satisfy the aspirations, the wishes and the desires of the peasantry of Malabar. So, Sir, my submission is that all the Malabar M.L.As. will have to be on the Select Committee.

(At this stage Mr. Speaker resumed the Chair.)

“ Mr. Speaker, Sir, I am, of course, aware that the constitutional issue will be raised, because according to the rules only 25 members could be the maximum. I say, Sir, that if necessary the rule can be amended. But, what I say is that in addition to the four members from Malabar on the Congress benches, all the members of the Praja Party, Socialist Party and the Communist Party, the members of the Muslim League and all members from Malabar can be constituted into a committee, so that we may all discuss the whole matter and see that the long cherished goal of the peasantry is achieved. We do not want anything to be done here and now against the constitution. But, even according to the constitution, we can do a lot if the Ministry want to do it. There is no use of mere words and lip-sympathy and if they want to do anything it has to be done here and now. I therefore request the Government to consider this aspect very seriously.”

MR. SPEAKER:—“ Before I call other hon. Members to speak, I want to inform the House that there will be no afternoon session to-day. The Government will provide some other day for non-official business.”

THE HON. SRI C. RAJAGOPALACHARI:—“ At the end of this sitting.”

* SRI P. K. GOPALAKRISHNAN:—“ Mr. Speaker, Sir, I ¹¹⁻²⁰ consider this Bill a retrograde piece of legislation. It had been ^{a.m.} the long-cherished demand of the people of Malabar that there should be security of tenure for the tenants. Another demand of

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the tenants of Malabar is the reduction of rent. Both these demands of the tenants are not met by this amending Bill. The provision for the eviction of tenants in the principal Act, namely, sections 14 and 20, is not amended by the amending Bill. Sections 14 and 20 in the principal Act have been the main targets of attack by the kisans of Malabar. The tenants have been demanding that these two sections should be thoroughly revised so that every tenant would have security of tenure and peace of mind to cultivate the land that he had been cultivating for long, and that he would have an abode for himself. This amending Bill does not in any way affect the old provisions, which are placing the tenants at the mercy of the landlords. There are one hundred and one ways by which the landlords can evict their tenants. If we go through sections 14 and 20 of the principal Act, we will find that no tenant in Malabar will fall outside the scope of eviction under these two sections. This amending Bill does not seek to amend those sections in favour of the tenants.

“ In regard to rent reduction also, it had been the longstanding cry of the tenants of Malabar that rack-renting is one of the obstacles standing in the way of the enjoyment of the fruits of their labour. This amending Bill does not in any way reduce rent. Only in regard to pepper vines, the rent is reduced from one-fifth to one-sixth. Whereas the demand of the tenants cultivating pepper is to reduce it to one-tenth, this Bill seeks to reduce it to only one-sixth. This hardly meets the demand of the tenants. In regard to garden lands, wet lands, dry lands, and other lands, there is no reduction in rent. In regard to coconut gardens, I have to say that if this Bill is accepted, the rent will go up to 10 or 20 or even 30 times, because the landlords will be free to go to court and get their rent fixed, namely, fair rent. The fair rent so fixed can be higher than the contract rent. The people of Malabar had been demanding that even if fair rent is fixed, it should not in any case go higher than the contract rent. This Bill provides that the landlord can go to court and get the fair rent fixed. This so-called fair rent will be always higher than the contract rent in the case of coconut gardens. Coconuts are grown mainly in Ponnani and Kurumbranad taluks of Malabar, and in these taluks, I am sure, the fair rent of these coconut gardens will go up, because the contract rent here is fixed on the basis of giving some remuneration to the tenants who cultivate, and also on the basis of the labour they have put in. Under the Act, fair rent will be fixed on the basis of one-third of the gross produce where the coconut trees are planted by the landlord and one-sixth where the coconut trees are planted by the tenants without any reference to the labour put in. This will hardly suffice to meet the cost of labour that the tenants have put in. If this provision is left untouched, the contract rent will be raised by 10 or 20 times. I can definitely say that the rent for coconut gardens in my constituency will definitely go up to 20 or 25 times. There is no doubt about that. After three years, every landlord is free to go to court and get the fair rent fixed. It is only the interest of the landlords that is safeguarded in the Bill.

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"The ulkudi problem mainly concerns Ponnani taluk. About 25 per cent of the population of Ponnani taluk are tenants of ulkudis. 99.9 per cent of Harijans of Ponnani taluk are tenants of ulkudis. These ulkudi tenants will be at the mercy of landlords. Every landlord will be free to evict his tenant after giving him three years' notice. After three years, any ulkudi tenant will have no abode, and he will be driven out into the streets like beggars. As the hon. Member Mr. T. C. Narayanan Nambiar said, they will be sent away to Benares! The landlords will be greatly satisfied with this provision for eviction. And there is no wonder in that. Hon. Members like Gopala Menon welcome this Bill. I saw his statement in the 'Indian Express' welcoming this Bill. It is only people representing landlords' interest who will welcome this Bill. The tenants on the other hand will be driven out of Malabar, and they will have no abode in Malabar. The ulkudi provision is amended a bit, and that has very great significance. The definition of ulkudi in the amending Bill is given as follows:—

" 'Ulkudi' means a hut in any portion of a dry land or garden land in the occupation of a person who has been permitted by the person entitled to possession of such dry land or garden land to occupy the hut and who otherwise has no interest in such dry land or garden land '.

In the old Act, ulkudi was defined as 'any portion of garden land wherein a hut is put up'. There is much difference between the two definitions. This difference in definition is made so that no tenant of ulkudi will have any right to the lands surrounding his hut. He will not be free to raise any vegetables around his hut. He will be deprived of even that right. So, this Bill is a retrograde piece of legislation. This is a reactionary piece of legislation. Twenty-five per cent of the population of Ponnani taluk will be thrown out into the streets, after three years if this Bill becomes law.

"I want to point out two more amendments that have been brought forward. One is the repeal of section 52-A. Sir, I am not here going into the details. This repeal of the entire section 52-A means the eviction of tenants from my constituency. In the whole of Malabar there are tenants of such a kind. Those tenants are there as if they are mortgagees. Section 52-A reads—

'52-A. (1) Notwithstanding anything to the contrary contained in any law for the time being in force, any person interested in any land may apply to the rent settlement authority for a declaration that a transaction entered into on or after the 1st January 1916, and purporting to be a mortgage of that land, is not in fact a mortgage, but a transaction by way of kanam-kuzhikanam, kuzhikanam, verumpattam, or other lease, and the decision of the rent settlement authority as to the nature of the transaction shall subject to the provisions of sub-section (2) be final, and the provisions of this Act shall apply accordingly:

Provided that in cases where the amount secured by the mortgage is, in South Malabar less than 60 per cent of the value of the Jenmi's rights in the holding, and in other places less than 40 per cent of the value of such rights, the rent settlement authority shall, until the contrary is proved, presume that the transaction is not one of mortgage.'

This amending Bill does not confine itself to deleting the words 'the rent settlement authority'. Its main purpose is to see that the tenants are termed as mortgagees, and thereby the landlords are enabled to redeem their mortgagees and see that every tenant is

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ousted. This provision against eviction was brought forward as a result of long years of struggle. The tenants and kisans of Malabar have been struggling to bring in such a provision. In the last amending Bill this provision was brought in. Now the Government want to take away even that salutary provision.

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“A new section—section 44-B—making a special provision in respect of redemption of mortgages is proposed to be inserted. It reads—

‘Where a mortgage is redeemed and the mortgagee has been actually in possession of the land for a period of not less than twenty years immediately preceding the date of redemption, he shall, except where the person redeeming the mortgage wishes to cultivate the land himself, be entitled to continue on the land as a tenant in preference to any other person.’

This means that a poor and an aged widow who wants to get her land cultivated by her son will not be able to get possession of the land even after paying the entire amount due under the mortgage deed. The big moneylender who has been in possession of the land for twenty or more years may say that he wants to continue on the land. A mortgagor who wants to sell his land and redeem the mortgage may not get possession of his land from the mortgagee. Then he cannot give possession to the purchaser, and consequently the seller may not get the current market value of the land. The money-lender has been in possession of the land for the last twenty years or more, and this amendment gives sanctity to the possession by one who has been fleecing the poor peasant who owns the land! This obnoxious amendment cannot be accepted.

“The entire people are dissatisfied with this Bill. Mr. V. R. Krishna Ayyar narrated the history of the struggle of the people of Malabar from 1851 onwards. The struggle has been there for more than a century. Malabar land tenure is a complicated and complex system and it is entirely different from any system of land tenure obtaining in the rest of this State or anywhere else in India. It is almost a unique system. There are many intermediaries between the janmi and the actual cultivator. The tiller of the soil has been suffering from the overlordship of a pyramid of intermediaries. This amending Bill does not in any way relieve the suffering of the actual cultivator from the overlordship of the several intermediaries. I am sure that the heroic people of Malabar will reject this Bill *in toto*. If members of the Communist Party are there in the Joint Select Committee, they are there without committing themselves to the principle of the Bill and they want to go into the details of the original Act.”

* SRI N. GOPALA MENON :—“Sir, I do not know if any occupant of the Treasury Bench had more difficulty in piloting a Bill than the Hon. Minister for Law has to-day. In this Bill, there are difficulties of politics, difficulties of principles, difficulties of details and so on. I am glad that the Law Minister has given a very lucid exposition of the history of the tenancy legislation for Malabar and the substance of the proposed Bill. It was not the intention to have a completely new legislation overhauling all the fundamental principles of land tenure prevailing in Malabar.

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The only idea in introducing this legislation was to weed out from the old legislation those provisions which are obnoxious to the majority of the people of Malabar. I know personally that the people unanimously did not like two things. One is the visitation of the Rent Settlement Authorities throughout Malabar. The Government unhappily took Malabar for purposes of land reform experiments. They said that Rent Settlement Authorities shall be constituted whose duty will be to rove throughout the Malabar district and fix the fair rent in respect of all holdings, even where there was no dispute between the landlord and the tenant. The Government also provided for the maintenance of a record of rights which will contain all the rights of the landlord, the intermediaries and the tenants. These two things stirred up the feelings of the people, stirred up disputes where none existed, and naturally people resented this. The need for amending the 1951 Act in these respects was brought to the notice of the Ministry by many people by deputations and by Members representing various constituencies in Malabar. It was in pursuance of that persistent desire of the people of Malabar and their representatives that action was taken for amending the 1951 Act. If there is any difference in ideology, that is a matter on which neither the Government nor anybody else can do anything at present. I know that there is a strong feeling not only in Malabar but throughout India for abolishing the system of landlordism altogether and for making the tenants owners of the land they cultivate. That is a large policy which the Government of India should undertake and not the State Government. I know that in the recent elections in Malabar promises were held out by certain political parties to their constituents that there might be a change of Government and that there was every likelihood of the lands in Malabar being parcelled out and distributed among the tillers of the soil. That is a principle on which I do not feel that I am competent to speak. That is a very big problem. There are many hon. Members in this House who feel that this legislation does not correspond to their ideas, and any legislation of this kind will be opposed by them. Barring those ideologies, I think this legislation meets the needs of the people to a very large extent. After all, what does a tenant require? He requires three things—three F's—if I may so call them—fixity of tenure, fair rent and freedom for the sale of his right in the land. These are not new theories; these have been there for ages. Fixity of tenure is the paramount thing which any tenant requires.

“ Some hon. Members have stated that no fixity of tenure has been given to the tenant. I shall read to them section 10 of the Malabar Tenancy Act which says in unmistakable terms that fixity of tenure is given to the tenant. The section reads as follows :—

‘Notwithstanding any contract to the contrary entered into whether before or after the commencement of this Act, every cultivating verumpattandar, every customary verumpattandar, every karamdar, every kanom-kuzhikanamdar, every kuzhikanamdar, and every tenant of a kudiviruppu shall have fixity of tenure in respect of his holding, and shall not be evicted therefrom except as provided in this Act.’

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That section gives fixity of tenure to all tenants. There are details of cases where tenants could be evicted. For example, where the tenant does not pay the rent due, or if the landlord himself wants accommodation or wants to construct a building, he can evict the tenant. These are matters of detail into which the Joint Select Committee can go and change, if necessary. But to say that the tenants of Malabar have not been given fixity of tenure is not to say what is correct.

"Then, the other thing which a tenant would ordinarily require is that there should be fair rent fixed for the holding that he cultivates. That has been provided in the new enactment as well as in the 1951 enactment. Even in the 1930 enactment, there was provision for fixation of fair rent. Under section 9 (b), a machinery is constituted for the purpose of fixing fair rent. In respect of small holdings, in the place of the old Rent Settlement Authorities, Rent courts are established. This machinery will be speedier in disposing of cases and cheaper for persons who want fair rent to be fixed for their holdings.

"Then, Sir, the next thing is the freedom of disposal of the tenant's right. That is also allowed under section 39 of the Act which says that the tenant can dispose of his right whenever he likes. Therefore, the fundamental rights which a tenant has been agitating for not only in our country, but all over the world, have all been provided in this enactment.

"Sir, I have listened with very great care to the speeches of the hon. Members who have spoken against this Bill. They have said that this Bill is not acceptable to them that it is oppressive and that it is not conducive to the welfare of the tenants. Some hon. Members have opposed the Bill in strong terms. But, beyond these expressions, strong and violent expressions sometimes, I have not seen them point out to any provisions in the enactment which are detrimental to the interests of the tenants. I do not want to go very much into details because an opportunity will be given to all of us in the Joint Select Committee to put forward our views. I do not share the pessimism of the last speaker that this Bill will not be properly received in Malabar. Sir, I have still left in me some optimism and I believe that it is the duty not merely of those who represent the various constituencies in Malabar but of all of us here to see that contentment prevails in Malabar regarding these land tenures.

"I am very sorry, Sir, that the Leader of the Socialist Party, instead of coming forward to help all of us put our shoulders to the wheel, has decided to non-co-operate with, and not to be a member of, the Joint Select Committee. I submit that ought not to be the attitude that he should adopt. After all, the land we live in is the same and the prosperity of the people of that land is dear to us. All of us who come from Malabar and others should extend our co-operation and see what is wrong with this legislation. From the speeches that I have heard, I have not been able to see any hon. Member lay his hand on any particular provision and say that it is detrimental to the interests of the people.

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"Then, Sir, it was stated that waste lands had to be distributed in Malabar. There is already a provision in section 52-B of the Act which empowers the Government to take over waste lands belonging to jenmis and to give them to the cultivators for the purpose of cultivation. The fact that the Government, within the space of one year, did not implement that provision does not mean that the enactment is wrong. As I said, I do not see that there is anything fundamentally wrong in the new enactment.

"The hon. Member Sri Krishna Ayyar was talking about the fixation of fair rent. Sir, it may be that in some cases the provisions relating to fixation of fair rent are not acceptable to him. Whether one-fifth or two-fifths, or one-third or one-half of the produce should be given to the janmi is a matter of detail which ought to be gone into by the members of the Joint Select Committee. On principle, the Bill gives all that is good to the tenant and also safeguards the interests of the landlord.

"Reference has been made to sections 14 and 20 of the Act. Sections 14 and 20 state the grounds on which a landlord can evict a tenant. If a tenant does not pay the rent due, or if the landlord requires the holding for the purpose of putting up a building for his own occupation, or if the landlord himself is so poor that without cultivating the land he is unable to maintain his family, he has a right to evict the tenant in occupation of the holding. These are the main provisions of sections 14 and 20. I do not find any legislation in India laying down that the landlord who is himself so poor as to depend on the land he has to cultivate for his own subsistence should be deprived of his holding. The only recent legislation of the kind in Bombay prescribes a minimum acreage for the landlord. That is, I submit, a matter of principle on which this House or the Union Government may decide. On other matters, I do not find that any constructive help has been given by the criticisms on this Bill. I, therefore, think that this Bill should go to a Joint Select Committee and I would, if I can, appeal to the Leader of the Socialist Party to co-operate with us all in evolving a new Bill which may be satisfactory to the landlords as well as to the tenants."

MR. SPEAKER :—"The Hon. Minister will reply at 1-15 p.m. Then I will put the amendments to the vote of the House. The hon. Member Sri K. P. Gopalan will now speak."

SRI K. P. GOPALAN :—"Mr. Speaker, Sir, ലേബർ കടിയായ നിയമ ഭേദഗതി ബില്ലിനെക്കുറിച്ച് സംസാരിക്കുക എന്നുള്ളതു ഒരു അസംബി മെമ്പറെ നിലയിൽ ഏറ്റവും പ്രധാനപ്പെട്ട ഒരു കൗതുകമായിട്ടാണ് ഞാൻ കരുതുന്നത്. ഈ ബില്ല് അകമാനമായി പരിശോധിച്ചതിനുശേഷം ഇത്രയും മോശമായിരിക്കുന്ന ഒരു ബില്ല്, ഇത്രയും കടിയാനാക് ദേഹം ചെയ്യുവാൻ സാധിക്കുന്ന ഒരു ബില്ല്, ഈ മന്ത്രിസഭ കൊണ്ടുവന്നതിൽ എനിക്കു യാതൊരു അനുകൂലതയും തോന്നിയിട്ടില്ല. കാരണം കോൺഗ്രസ്സ് ഗവൺമെന്റിന്റെ നയത്തെ കടിയാനാക്കു സഹായിക്കുകയും നേരെമറിച്ചു ജന്മിമാരെ സഹായിക്കുകയാണ്. എനിക്കു ബഹുമാനപ്പെട്ട മന്ത്രി ശ്രീമാൻ കുട്ടികൃഷ്ണൻ നായരോടും ബഹുമാനപ്പെട്ട ശ്രീമാൻ ഗോപാല മേനോനോടും ചോദിക്കാൻ ഇതു നിങ്ങൾ കോൺഗ്രസ്സിന്റെ പ്രമേയങ്ങൾ കാക്കുന്നതോ എന്നാണ്. കോൺഗ്രസ്സ് ഫേയിൽപ്പുരിയും കറുപ്പിയിലും വെച്ചു പാസ്സാക്കിയ പ്രമേയങ്ങൾ നിങ്ങൾ

11-50
a.m.

[Sri K. P. Gopalan]

[2nd April 1953]

ആലോചിക്കുന്നുണ്ടോ എന്നാണ് ഞാൻ ചോദിക്കുന്നത്. മലബാറിൽത്തന്നെ കഴിഞ്ഞ തിരഞ്ഞെടുപ്പുകാലത്തു നിങ്ങൾ ജനങ്ങളോടു ചെയ്ത വാഗ്ദാനങ്ങളെക്കുറിച്ചു നിങ്ങൾ ആലോചിക്കുന്നുണ്ടോ എന്നാണ് ചോദിക്കുവാനുള്ളത്. ജനീസമ്പ്രദായം അവസാനിപ്പിക്കുമെന്നും, ശരിയായിട്ടുള്ള ഒരു കടിയായു നിയമം കൊണ്ടുവരുമെന്നും, കൃഷിക്കാരുടെ കഷ്ടങ്ങൾ അവസാനിപ്പിക്കുമെന്നും നിങ്ങൾ മലബാറിലെ പോട്ടർമാരോടു വാഗ്ദത്തം ചെയ്തിട്ടില്ലേ എന്നാണ് ഞാൻ ചോദിക്കുന്നത്. ശ്രീമാൻ കുട്ടിത്തൂർ നായർക്കും ഗോപാല മേനോനും കോൺഗ്രസ്സിന്റെ പ്രമേയങ്ങൾ മനസ്സിലാക്കുകയും കോൺഗ്രസ്സിന്റെ പ്രമേയങ്ങൾ കാര്യമല്ലാത്തതായിരിക്കാം. എന്നാൽ മലബാറിലെ തൊഴിലാളികളും, കൃഷിക്കാരും, കടിയാന്മാരും ആയിരുന്ന നമ്മുടെ രാജ്യത്തിന്റെ സ്വാതന്ത്ര്യത്തിനുവേണ്ടി ബ്രിട്ടീഷ് സാമ്രാജ്യത്വപാലികളോടു പടവെരുതിയിരുന്നത്. സ്വാതന്ത്ര്യം ബ്രിട്ടീഷുകാരുടെ കയ്യിൽനിന്നു വിടിച്ചുവെറിയു തുടങ്ങിയ ഒരു നിയമം കൊണ്ടുവരുവാൻ അയിരുന്നവരോ എന്ന ശ്രീമാൻ കുട്ടിത്തൂർ നായരോടും ഗോപാല മേനോനോടും ചോദിച്ചുകൊള്ളട്ടെ. മിസ്റ്റർ സ്പീക്കർ, സാർ, ഇന്നു ഇവിടെ ഈ ബില്ലു അവതരിപ്പിക്കുന്ന അവസരത്തിൽ മലബാറിലെ പാലു ചെട്ട കൃഷിക്കാർ, ബുദ്ധിമുട്ടുകളിൽ ആണ്ടുകിടക്കുന്ന കൃഷിക്കാർ, ഈ സഭയിലെ നടപടികളെ സസൂക്ഷ്മം സൂക്ഷിച്ചുകൊണ്ടിരിക്കുകയാണ്. മലബാറിലെ കൃഷിക്കാർ എന്തുക്കൊണ്ടാണ് അങ്ങിനെ നോക്കിക്കൊണ്ടിരിക്കുന്നതെന്ന് ഞാൻ വിവരം കേൾക്കുന്ന ആവശ്യമില്ല. മലബാറിലെ കൃഷിക്കാരുടെ ദയനീയ ചിത്രത്തെപ്പറ്റി ശ്രീമാൻ കുട്ടിത്തൂർ നായരോടും ഗോപാല മേനോനോടും എടുത്തുപറയേണ്ട ആവശ്യമുണ്ടെന്നു തോന്നുന്നില്ല. ഉറപ്പാക്കുകയിൽ ഇന്നും പോയി നോക്കുകയാണെങ്കിൽ—ശ്രീമാൻ ഗോപാല മേനോൻ മലബാറിലെ ഗ്രാമങ്ങളെ നല്ലപോലെ കണ്ടിട്ടില്ലായിരിക്കാം—ജനീസമ്പ്രദായത്തിന് കീഴിൽ ജീവിക്കുവാൻ സാധിക്കാത്ത, കടത്തിൽ ആണ്ടുകിടക്കുന്ന, ഒരു നല്ല കുടുംമുണ്ടും കൂടി ധരിക്കുവാൻ സാധിക്കാത്ത, ഒരു നേരത്തെ ഭക്ഷണം കഴിക്കാൻ സാധിക്കാത്ത ആയിരക്കണക്കിലുള്ള കൃഷിക്കാരെ നമുക്കു കാണുവാൻ സാധിക്കുന്നതാണ്. ഈ കൃഷിക്കാർ ഇന്നു ഈ സഭയിൽ എന്താണ് നടക്കാൻ പോകുന്നതെന്ന്, കോൺഗ്രസ്സ് ഗവണ്മെന്റ് പണ്ടുപണ്ടേ വാഗ്ദത്തം ചെയ്ത ഒരു നിയമ നിർമ്മാണം കൊണ്ടുവരുവാൻ പൊക്കുന്നുണ്ടോ എന്നും നോക്കിക്കൊണ്ടിരിക്കുകയാണ്. ശ്രീമാൻ മാധവ മേനോൻ കഴിഞ്ഞ തിരഞ്ഞെടുപ്പിൽ തോറ്റുകഴിഞ്ഞു. ശ്രീമാൻ കുട്ടിത്തൂർ നായർ മലബാറിലെ മന്ത്രി ആയിത്തന്നെപ്പോകാം അദ്ദേഹം നല്ലൊരു ബില്ലു കൊണ്ടുവരും എന്നുള്ളതായിരുന്നു കൃഷിക്കാരുടെ ആശം എന്നുള്ളതിൽ എനിക്ക് യാതൊരു സംശയവുമില്ല. എന്നാൽ എനിക്ക് ഈ ബില്ലിനെക്കുറിച്ചു സംസാരിക്കാനുള്ളത് ഈ ബില്ലു കോൺഗ്രസ്സ് തത്വങ്ങളെ പാടെ അവഗണിച്ചിരിക്കുന്നു എന്നാണ്. ഈ ഒരു അഭിപ്രായമാണ് എനിക്ക് ഈ സഭയിൽ മുഖാമുഖം വെക്കുവാനുള്ളത്. ഇങ്ങിനെ ഒരു ബില്ലു കൊണ്ടുവരുവാൻ ഈ മന്ത്രിസഭയ്ക്കു എങ്ങിനെ ചെയ്യും എന്നു എന്നാണ് ഞാൻ ചോദിക്കുന്നത്. എനിക്ക് ഒരു കാര്യം രീതിപരമാണു്. ഈ കോൺഗ്രസ്സ് ഗവണ്മെന്റിനെ എത്രയും അന്യായമായി എന്തുകൊണ്ട് എന്നുള്ളതല്ല ആങ്ങളുടെ നില. ഈ കോൺഗ്രസ്സ് ഗവണ്മെന്റ് മലബാറിലെ ജനങ്ങളുടെ അഭിലാഷങ്ങളും അഭിപ്രായങ്ങളും അറിഞ്ഞിട്ടുണ്ടോ എന്നാണ് ഞാൻ ചോദിക്കുന്നത്. ശ്രീമാൻ കുട്ടിത്തൂർ നായരോടു എനിക്ക് അപേക്ഷിക്കുവാനുള്ളത്, ശ്രീമാൻ മാധവ മേനോനോടു കഴിഞ്ഞ തിരഞ്ഞെടുപ്പുകാലത്തു മലബാർ കടിയായു ബില്ലിന്റെ പേരിലാണ് അദ്ദേഹത്തിനു മന്ത്രിസ്ഥാനം പോയിട്ടുള്ളത്. ഇതു ശ്രീമാൻ കുട്ടിത്തൂർ നായർ നല്ലപോലെ ആലോചിക്കണം എന്നു മാത്രമേ എനിക്ക് അദ്ദേഹത്തിനോടു വിനീതമായി പറയാനുള്ളൂ. ഈ ബില്ലു കോൺഗ്രസ്സ് മന്ത്രിസഭ നിർവ്വസാപ്യം നടപ്പിൽവരുത്തുകയാണെങ്കിൽ മലബാറിലെ ധീരോദാത്തരായ കൃഷിക്കാർ ഈ ബില്ലിനെ ഒരിക്കലും സ്വീകരിക്കാൻ പോകുന്നില്ല എന്നു കോൺഗ്രസ്സ് മന്ത്രിസഭ നല്ലപോലെ മനസ്സിലാക്കണം എന്നാണ് എനിക്ക് പറയാനുള്ളത്. കഴിഞ്ഞ ഭൂമിക്ക് വേണ്ടിയുള്ള സമരത്തിൽ എന്ത്പരമാളും കൃഷിക്കാരെ പോലീസ് വെടി വെച്ചുകൊന്നു. മലബാറിന്റെ ചരിത്രം പരിശോധിക്കുകയാണെങ്കിൽ അതിൽ ഭൂമിക്ക് വേണ്ടിയുള്ള സമരംകൂടിയുണ്ടെന്നു ആകുന്നു അറിയുവാൻ സാധിക്കാത്തതു്? എന്നാൽ ഇതെല്ലാം മറന്നുകൊണ്ട് ശ്രീമാൻ ഗോപാല മേനോൻ ഇന്നിവിടെ പറയുകയാണ് എങ്ങിനെയായാലും കോൺഗ്രസ്സ് ഗവണ്മെന്റിനെ എന്തുകൊണ്ട് എന്നുള്ള ഒരു നിലയാണ് ഞങ്ങൾ സ്വീകരിച്ചിട്ടുള്ളത് എന്ന് എനിക്ക് അദ്ദേഹത്തോടു ചുരുക്കം വിനീതമായി പറയാനുള്ളത് എങ്ങിനെയായാലും എന്തുകൊണ്ട് എന്നല്ല ആങ്ങളുടെ നില. നിങ്ങൾ ജനങ്ങളോടു ചെയ്ത വാഗ്ദാനങ്ങൾ നിങ്ങൾതന്നെ നിറവേറുവാൻ തയ്യാറല്ല എങ്കിൽ ഈ മന്ത്രിസഭയേയും അധികാരത്തിൽനിന്നു നീക്കംചെയ്യുവാൻ ജന

2nd April 1953]

[Sri K. P. Gopalan]

ങ്ങൾക്കു കഴിയും എന്നു നിങ്ങൾ മനസ്സിലാക്കണം. രണ്ടാമതായി രാഷ്ട്രീയ അഭിപ്രായ വ്യത്യാസങ്ങളെ പൊക്കിപ്പിടിച്ചതിനെപ്പറ്റി എനിക്ക് ചോദിക്കാൻമുണ്ട്, ഈ ബില്ലിനെ സ.ബന്ധിച്ചേടത്തോളം മലബാറിലെ കമ്മ്യൂണിസ്റ്റ് പാട്ടിയായാലും ശരി, സോഷ്യലിസ്റ്റ് പാട്ടിയായാലും ശരി, പ്രജാ പാട്ടിയായാലും ശരി, മുസ്ലീംലീഗായാലും ശരി ആങ്ങൾ എല്ലാവരും പുരോഗമനപരമായ ഒരു ബില്ല് കൊണ്ടുവരുന്നതിൽ ഏകോപിച്ച അഭിപ്രായക്കാരാണ് 90 ശതമാനവും എന്നു ശ്രീമാൻ ഗോപാല മേനോൻ അറിയുകയില്ലേ എന്നാണ്. ഞങ്ങൾ പറയുന്നത് കമ്മ്യൂണിസ്റ്റുകാർ കൊണ്ടുവരുന്ന ഒരു ബില്ല് സീക്രീകരിക്കണമെന്നല്ല. മലബാറിലെ കോൺഗ്രസ്സുകാർ, ജനാധിപത്യവാദികളായ കോൺഗ്രസ്സുകാർ ഉണ്ടാക്കിയതായും കെ. പി. സി. സി.യുടെ റിപ്പോർട്ടിന്റെ അടിസ്ഥാനത്തിൽ ഒരു ബില്ലെങ്കിലും നിങ്ങൾക്കു കൊണ്ടുവരാൻ സാധിച്ചുവോ എന്നാണ് ശ്രീമാൻ ഗോപാല മേനോനോടു വിനീതമായി ഞാൻ ചോദിക്കുന്നത്. പിന്നീട് ഗോപാല മേനോൻ ഒരു കാര്യം പറയുകയുണ്ടായി, ഈ ബില്ലിൽ കടിയാന്മാർക്ക് സ്ഥിരമായ കാശം കൊടുത്തിട്ടുണ്ടെന്നു സമർത്ഥിക്കാൻ അദ്ദേഹം ശ്രമിക്കുകയുണ്ടായി. കടിയാനു സ്ഥിരമായകാശം കിട്ടിയാലും പാട്ടും അധികരിക്കുകയാണെങ്കിൽ അതുണ്ടായാണോരു പ്രയോജനമില്ല. ഇന്നത്തെ നാങ്ങൾ വളരത്ത പാട്ടും ചുരുക്കാനായിരുന്നാൽ ഏതു നിമിഷത്തിലും ഒരു ജന്മിക്കു കടിയൊന്നെ ഒഴുപ്പിക്കാൻ സാധിക്കും എന്നു മനസ്സിലാക്കണം. ഈ ബില്ലിന്തന്നെ ജന്മിക്കു സ്ഥാനവശ്യത്തിനുവേണ്ടി കടിയുണ്ടാക്കു ഒഴുപ്പിക്കും എന്നുള്ളതായ ഒരു വെക്കുപ്പ് ഇതിൽ ഉൾക്കൊണ്ടിട്ടില്ല എന്നാണ് എന്നിട്ടു ചോദിക്കാൻമുണ്ട്. അതുകൊണ്ട് കൃഷിക്കാരനു സ്ഥിരമായകാശം കൊടുത്തിരിക്കുന്നു ഈ ബില്ല് എന്നു പറയുന്നത് തികച്ചും തെറ്റായ ഒരു പ്രസ്താവനയാണ് എന്നുള്ളതു സഭയുടെ മുമ്പാകെ വെക്കുവാൻ ഞാൻ വിചാരിക്കുന്നു. രണ്ടാമതായി ചെറിയ ജന്മിമാരെപ്പറ്റി ശ്രീമാൻ ഗോപാല മേനോൻ സ.സാരിക്കുകയുണ്ടായി. ഞാൻ പറയുന്നത് ചെറിയ ജന്മിമാരുടെ കാര്യം ആലോചിക്കണം എന്നാണ്. എന്നാൽ അന്വതിനായിരവും, ഒരു ലക്ഷവും ഏതു നിലം കയ്യിൽ വെച്ചുകൊണ്ടു കൃഷിക്കാരെ കൊള്ളുകയും ജീവിക്കുന്ന ജന്മിമാർ ഇന്നു മലബാറിൽ ഇല്ലേ എന്നു ഞാൻ ചോദിക്കുന്നു. ഇവരെക്കുറിച്ചു നിങ്ങൾ എന്തുപറയുന്നു. കൂടാതെ ശ്രീമാൻ ഗോപാല മേനോൻ മലബാറിലെ റെയിന്റ് ലാങ്ക്സിനെപ്പറ്റി പറയുകയുണ്ടായി, മലബാറിൽ 18 ലക്ഷം ഏക്കർ സ്ഥലം തരിശായി കിടക്കുന്നുണ്ടെന്ന്. എന്തുകൊണ്ടു കോൺഗ്രസ്സ് ഗവണ്മെന്റ്, ഈ രാജ്യത്തിൽ ഉല്പാദനം വലുപ്പിക്കണം എന്നു പറയുന്ന കോൺഗ്രസ്സ് ഗവണ്മെന്റ്, ഉല്പാദനം വലുപ്പിക്കണം എന്നു ആണയിട്ടു പറയുന്ന കോൺഗ്രസ്സ് ഗവണ്മെന്റ് എന്തുകൊണ്ടു ഈ തരിശുസ്ഥലം കൃഷിക്കാർക്കു കൊടുത്തിട്ടില്ല എന്നു ഞാൻ ചോദിക്കുന്നു. മലബാറിൽ പത്തുനൂറ് മുതലായ സ്ഥലങ്ങളിൽ പുന:കൃഷിക്കു പററിയ സ്ഥലങ്ങളുണ്ട്. അവിടെ കൃഷിക്കാർ ഉപവാദം കൃഷിചെയ്യുവാൻ തയ്യാറാണ് എന്നു എനിക്ക് നല്ലപോലെ അറിയാം. പക്ഷെ ഭൂമി കൊടുക്കുവാൻ ജന്മിമാർ തയ്യാറാകുന്നില്ല. ഇതു ഇന്നും നടക്കുന്ന കാര്യമല്ലേ എന്നു ഞാൻ ചോദിക്കുന്നു. മലബാർ കടിയായതു പ്രസ്ഥാനത്തന്നെ ഒരു നീണ്ട ചരിത്രമുണ്ട്. അതിന്റെ പിന്നിൽ ഉള്ള വമ്പിച്ച കഥകളെ ഞാൻ വിവരിക്കേണ്ട ആവശ്യമില്ല. അതുകൊണ്ടു എനിക്ക് പറയുവാനുള്ളതു് ഇതു മലബാറിനെ സംബന്ധിച്ചേടത്തോളം ഒരു നല്ല കടിയുൻ ബില്ല് വരുത്തുക എന്നുള്ളതു കൃഷിക്കാരുടെയും ജനങ്ങളുടെയും ഒരു പീഠഭരണസാരമാണ്. ഇതു അറിയുവാൻ സാധിച്ച ശ്രീമാൻ കട്ടിത്തുറന്നായും ഗോപാല മേനോനും ഒരു നിസ്സാര കാര്യമായി ഇതിനെ തള്ളുവാൻ സാധിക്കുകയില്ല എന്നു പ്രസ്താവിക്കേണ്ടതായിട്ടുണ്ട്. മലബാറിലെ ജനങ്ങൾ എന്തൊരു അഭിപ്രായമാണ് ഈ ബില്ലിനെപ്പറ്റി രൂപീകരിക്കുവാൻ പോകുന്നതെന്നു ഇവർ നല്ലപോലെ മനസ്സിലാക്കുവാൻ സാധിക്കും. ഇതു രീപ്തായും കോൺഗ്രസ്സ് ഭരണത്തെ അവഹേളിക്കുവാനാണ് പറയുന്നതെന്നു തെറ്റിദ്ധരിക്കുവാൻ പാടില്ല.

“ഈ കടിയായ ബിൽ പാസ്സാക്കുകയാണെങ്കിൽ ജനാധിപത്യവാദികളായ കോൺഗ്രസ്സുകാർ കൂടി ഈ ബില്ലിനെ എന്തുകാൻ തയ്യാറായിരിക്കും എന്നു എനിക്ക് ഉറപ്പുണ്ട്. അതുകൊണ്ടു് ഈ ബില്ലിനെപ്പറ്റി എനിക്ക് പറയുവാനുള്ളതു് ഈ ബില്ല് ഏറ്റവും അനുകൂലമായ ഒരു ബില്ലാണ്, സകല തത്വങ്ങൾക്കും എതിരായ ബില്ലാണ്, കടിയുണ്ടാക്കു പാപ്പാക്കുന്ന ഒരു ബില്ലാണ് എന്നു്.. ഈ ബില്ലിന്റെ നാനാ വശങ്ങളെയുംപറ്റി ബഹുമാന്യനായ എന്റെ റേഡിയോയിൽ വി. ആർ. കൃഷ്ണയ്യർ വിവരിച്ചു കഴിഞ്ഞു. അതുകൊണ്ടു് ഞാൻ അധികം സംസാരിക്കുവാൻ വിചാരിക്കുന്നില്ല. മാത്രമല്ല സമാക്കർ വി. കെ. ഗോപാലകൃഷ്ണനും ടി. സി. നാരായണൻ നമ്പ്യാരും ഇതിനെക്കുറിച്ചു ശക്തിമത്തായ ഭാഷയിൽ സംസാരിക്കുകയുണ്ടായി. പൊരാണിക്കക്ഷങ്ങളിൽ

[Sri K. P. Gopalan]

[2nd April 1953]

മുതലായിത്തന്നെയും വന്നുകൊണ്ടിരുന്ന അവസരത്തിൽ ജന്മിമാർ അവരുടെ കടിയുന്മാരെ അടിമകളാക്കി വെക്കുന്ന കഥ നാം വായിച്ചിട്ടുണ്ട്. അതുപോലെയുമാണ് ഈ ഉൾക്കടിയന്മാരെ മൂന്നു കൊല്ലത്തെ നോട്ടീസ്സു കൊടുത്താൽ ഒഴിപ്പിക്കാം എന്നു പറയുന്നത്. ഇതു മൂന്നു കൊല്ലം അവരെ അടിമകളാക്കിവെക്കാനുള്ള ഒരു സമ്പ്രദായത്തിന്റെ പ്രതിഫലനമാത്രമാണ്. അതുകൊണ്ടാണ് ഞാൻ പറയുന്നത് നാടുവാഴിപ്രഭുത്വത്തിന്നു കൃഷിക്കാരെ അടിമകളാക്കിവെക്കാനുള്ള ഒരു ഭേദഗതിയാണ് ഈ ഉൾക്കടിയെ സംബന്ധിച്ച ഈ ബില്ലിൽ വന്നിട്ടുള്ളത്. ആകപ്പോഴെ നോക്കുകയാണെങ്കിൽ ഈ ബില്ലിനെ നീച്ചിയായും മലബാറിലെ ജനങ്ങൾ അവരുടെ ജീവനരണനന്മയായി കരുതും എന്നുള്ളതിന്നു യാതൊരു സംശയവുമില്ല. ശ്രീമാൻ ഗോപാല മേനോൻ പറയുകയുണ്ടായി, മലബാറിലെ ജനങ്ങൾ ഈ ബില്ലിനെ സ്വാഗതം ചെയ്യും എന്ന്. ഇതിന്റെ സെലക്ട് കമ്മിറ്റി യോഗങ്ങൾ മലബാറിൽ വെക്കണം, കോഴിക്കോട്ട് വെക്കണം, കൃഷിക്കാരുടെയും കടിയന്മാരുടെയും അടുത്തു പോയി വെക്കണം എന്നാണ് എനിക്കു പറയാനുള്ളത്. എന്നാൽ കൃഷിക്കാർ മാത്രമല്ല ഇടത്തരക്കാർ കൂടി ഈ ബില്ലിനെ എതിരും എന്നു നിങ്ങൾ മനസ്സിലാക്കണം. മലബാറിൽ വരുന്ന അവസരത്തിൽ ലക്ഷക്കണക്കായ കൃഷിക്കാർ, അതുപോലെ ഇടത്തരക്കാർ, ജനാധിപത്യവാദികളായ കോൺഗ്രസ്സുകാർ, കമ്മ്യൂണിസ്റ്റുകാർ എന്നൊക്കെ, സോഷ്യലിസ്റ്റുകാർ എന്നൊക്കെ, പ്രജാപാട്ടികാർ എന്നൊക്കെ, മുസ്ലീം ലീഗ് എന്നൊക്കെ പൂർണ്ണമായും ഇല്ലാതെക്കിട്ടു പുരോഗമനപരമായ ഒരു ബില്ലിനുവേണ്ടി നീച്ചിയായും മലബാറിലെ ജനങ്ങൾ അണിനിരക്കും എന്നു നിങ്ങൾക്കു കാണുവാൻ സാധിക്കും. അതും കടിയന്മാരും കൃഷിക്കാർക്കും ദോഷകരമായിട്ടുള്ള ഒരു ബില്ലാണ് കോൺഗ്രസ്സ് ഗവണ്മെന്റ് കൊണ്ടുവന്നിട്ടുള്ളത്. ഭൂമിയിൽ സ്ഥിരവകാശം കൊടുക്കണം എന്നു പറഞ്ഞു കോൺഗ്രസ്സ് ഗവണ്മെന്റ്, ജന്മിസമ്പ്രദായം അവസാനിപ്പിക്കണം എന്നു പറഞ്ഞു കോൺഗ്രസ്സ് ഗവണ്മെന്റ് ഇങ്ങനെ ഒരു ബില്ല് കൊണ്ടുവന്നതിൽ ഞാൻ വളരെ പൂസനിക്കുന്നു. ശ്രീമാൻ ഗോപാല മേനോൻ ചോദിക്കുന്നു ഇന്ത്യയിൽ മറെറാവിടെയാണ് ഒരു കാഷികപരിഷ്കരണം വന്നിട്ടുള്ളതു എന്ന്. ചൈനയേയും റഷ്യയേയും എടുക്കട്ടെ ആവശ്യമില്ല, ഇന്ത്യയിൽത്തന്നെ കാഷിമീരിൽ എന്തു ഉണ്ടായി എന്നു നിങ്ങൾ ഭയപ്പെടുകയോ ആലോചിക്കണം എന്നു ഞാൻ അഭ്യർത്ഥിക്കുന്നു. അവിടെ ചൈനീസ് സാമ്പത്തികയുടെ നേതൃത്വത്തിലുള്ള കോൺഗ്രസ്സ് ഭരണം കൃഷിക്കാർക്കു അവരുടെ ഉൾക്കടിയെക്കുറിച്ചു ആരോടുകൂടി കൊടുക്കുവാൻ ഈ കോൺഗ്രസ്സ് ഗവണ്മെന്റ് തയ്യാറുണ്ടോ എന്നുള്ളതു മാത്രമാണ് എനിക്കു ചോദിക്കുവാനുള്ളത്. ഇത്രയും പറഞ്ഞുകൊണ്ടു എന്റെ പ്രസംഗം ഞാൻ തൽക്കാലം അവസാനിപ്പിച്ചുകൊള്ളുന്നു."

* SRI M. NARAYANA KURUP:—"Mr. Speaker, Sir, it is with a heavy heart that I rise to speak on this occasion. We are here now considering an amending Bill to a legislation which was passed scarcely a year ago. Therefore, we expected that when a new legislation is brought in, things of the past would be taken into consideration and the Government would take a lesson from the past while such an amendment becomes necessary. I agree with Mr. Gopala Menon that the present Bill is brought forward due to persistent popular demand. But our demand was not to make the Bill more reactionary. Let me remind the hon. Member that the Congress rout in the recent elections in Malabar was not due to any fantastic promises that were held out by their opponents but due to the past betrayals of plighted words by Congressmen themselves. Sir, I would request him to read the two editorials written by 'Mathrubhoomi' immediately after the Congress defeat at the elections. 'Mathrubhoomi' is a nationalist paper which reflects Congress views and if I am permitted, I may call it the 'Malabar Hindu.' Such a paper wrote that the result of the general election in Malabar was a verdict on the 1950 Malabar Tenancy legislation. Therefore, instead of throwing the blame on the promises made by their opponents, let them indulge in a sort of self-introspection and let Mr. Gopala Menon give his helpful advice in making the measure agreeable to the majority of the people in Malabar."

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" Sir, we were crying for bread but what is thrown before us are literally stones. Before I speak on the main motion, I would place a few facts before the House regarding my amendments. I wish to assure the Government that my amendments are not intended to complicate matters or throw difficulties in the way of the Government. I move them with an honest intention. Some of them are formal amendments and if they are accepted, many a complicated problem can be solved. I would point out one or two instances. In the definition of 'cultivating verumpattamdar', it is stated 'cultivating verumpattamdar in respect of a holding means any verumpattamdar, who not being a janmi, intermediary or customary verumpattamdar of that holding, has expressly or impliedly, contracted cultivable lands in that holding and actually cultivates the same.' Sir, I lay emphasis on the words 'the same.' It has been held by courts that though the holding may comprise ten acres of land, if an inch of property is in the possession of a third person, he is not a cultivating verumpattamdar because he is not in possession of the entire land. Now, we know that holdings cannot be split up and in Malabar many of the holdings contain 'kudiyiruppu'. So if the tenant is in possession of ten acres of land and actually cultivating 9.99 acres and the other portion is in possession of the 'kudiyiruppu' holder he cannot get the benefit of the cultivating verumpattam. That this has not been the intention is evident from section 21. Then sections 14 and 20 allow the landlord the right to recover possession of property for his personal cultivation. Section 21 says 'that if he has not cultivated—or a substantial portion thereof' the tenant has the right to get back the land. Therefore when we say that the tenant should be in possession of the holding, it means the entire holding or a substantial portion thereof as is evident from the various other provisions. That is the one amendment that I have in my mind.

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" Then again, Sir, there is another provision, provision 6 (a) which gives special treatment to hilly tracts in respect of fair rent. It is stated it would be applicable to Wynaad, Gudalur and Nilgiris. We know it is intended to give some relief to persons who cultivate mountain areas, facing malaria and other dangers. We know that in Ernad and Walluvanad there are extensive areas which can be brought under cultivation and which the people are bringing under cultivation. If this provision is extended to those areas that would be a great help to them. So this section also needs some amendment.

" Then, Sir, this morning a question was answered about remission of rents. Section 29 (a) says that the tenant will be entitled for remission of rent only in the proportion of remission of revenue. We all know the bitter experience of this year. The whole second crop in Palghat and Walluvanad and a major portion in other taluks had failed. There has been no remission of the revenue because of the fact that double-crop lands are not included under the existing orders for grant of remission. In these cases if one crop is raised successfully, they are not entitled for any remission of revenue. There may be reason for that because the revenue

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is small when compared to the entire income from the land. But what about the poor tenant? One whole crop is lost to him. But he must pay the entire rent. Therefore section 29 (a) requires amendment, which will entitle him for remission of rent when the entire crop fails due to natural calamities beyond his control. Sir, in this connection I may mention that if the Select Committee is empowered by this House it can go into the other sections also and suggest amendments. There need not be another agitation or further amendments to the Act to give effect to the demands of the tenants. As I said before, it is far from my mind to complicate matters.

“Then, Sir, coming to the Bill itself I want to dispel the impression if it lurks in any part of the House that any probable legislation with regard to Malabar tenancy will have repercussions in other parts of the State as a whole. It is well known that the tenancy problem of Malabar is peculiar. I shall not here state my impressions or opinions. I will cite only what the experts and the landlords of Malabar themselves have said about this. In the memorandum submitted to the Select Committee on the Revenue Surcharge Bill, the Malabar Land Holders' Association observed: ‘The peculiarities of different kinds of tenures by which lands are held in Malabar make it abundantly clear that the assessment is no basis by which the pattadar may be considered as big or small holder or as a poor or rich one’. Then the landholders of North Malabar say: ‘In many cases between the actual cultivator and the jenmi there are several intermediaries, sometimes to the extent of six or seven who share the income in varying proportions! Then Poomulli Nambudripad, a big jenmi and a learned jenmi observes: ‘The system of land tenure prevalent in Malabar from time immemorial is peculiar to that district only. It is totally different from the land tenures in other parts of the Madras State.’ Then, Sir, I shall quote the opinion of the Special Officer Mr. Ragavendra Rao who was deputed to enquire into the matter in 1948. He said: ‘One of the peculiar features in the land tenure of Malabar is the existence of a large number of intermediaries with rights in land. There are as many as 28 tenures of land in Malabar. Most of these tenure holders are not actually cultivating the land’. Sir, you will be surprised to know that the definition of the tenant in the Malabar Tenancy Act includes an intermediary of any description. We had also the opportunity to discuss the Tanjore Tenants' Act but nowhere you will find in that Act the description of a tenant as including the intermediary. Sir, even the United Nations experts have observed that the Malabar land tenure problem is the most complicated in the South East Asia. Therefore let not this House be carried away by the impression that what is given to Malabar will be sought for or agitated for by the rest of the people. Ours is a peculiar problem which will come more and more in evidence as we proceed hereafter.

“Then, Sir, the Hon. Minister recounted the history of the Malabar land legislation which I wish also the House should remember. I shall here give the authoritative version given by the

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former Law Minister who introduced the Bill, because my subsequent argument has important bearing on his statement. He said : The Malabar Tenancy Act of 1929 however proved to be defective in certain respect. In 1938 therefore, the Government gave notice of a Bill to amend that Act but the Bill was not actually proceeded with. In July 1939 the Government appointed a Committee with Sri Kuttikrishna Menon, the present Advocate-General as Chairman, to study the nature and effects of the land tenures prevailing in Malabar and special areas where the same tenures are prevalent

MR. SPEAKER :—“ The hon. Member need not read the whole thing. It is available in the Library for reference. It is enough if he just refers to it.”

SRI M. NARAYANA KURUP :—“ What I want to impress upon the House is that in his statement the former Minister made it definitely clear that the draft Bill published by him in 1950 was the result of mature consideration and consistent with public opinion. That evoked a certain amount of response though it did not completely satisfy the people. The Bill went into Select Committee but as it emerged from there, it was a complete negation of all the amendments that were suggested in the original Bill that was published.

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“ Sir, introducing the Bill as amended by the Select Committee, Mr. Madhava Menon observed : ‘ Considerable changes have been made by the Joint Select Committee in the Bill which was originally introduced. I must say with some personal regret that the changes that have been made are against the tenant and in favour of the landlord.’ Therefore, Sir, let us ask ourselves, why in the Select Committee changes were made in favour of the landlord and detrimental to the interests of the tenants. The answer is not far to seek. Mr. M. P. Govinda Menon who was an active member of the Select Committee said that the majority of the members from Malabar in the Select Committee represented kanamdars’ interests. There was the interest of Janab Uppi Sahib who admitted that although he belonged to the class of landlords, he supported the Bill of 1929. Therefore, the 1950 Bill that was sent to the Joint Select Committee was completely transformed because the representatives of Malabar who were in the Select Committee were really not the representatives of the toiling people or the real cultivators, but of the kanamdars and jenmis. I would request this House nothing more and nothing less than follow the procedure adopted by the previous Government. That Government, as the then Minister put it with some regret, made changes in the Bill because the majority of Malabar representatives were in favour of such changes. Now we do not want to incorporate any single change in this Bill as against the majority view now. If the Government are prepared to accept the advice, we want nothing more and we would request them to show as much concession and consideration as they were prepared to extend to the Members of the former Legislative Assembly in respect of the 1950 Bill.

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"My friend Mr. Gopala Menon was saying that no specific points were made out. If I am given two or three hours' time, I will point out hundreds of instances to him."

MR. SPEAKER :—"The hon. Member has got one minute more."

SRI M. NARAYANA KURUP :—"Sir, I want half an hour."

MR. SPEAKER :—"I will allow five minutes more."

SRI M. NARAYANA KURUP :—"Sir, I do not claim any special knowledge. But while the other Members are not lawyers, I know something of law."

MR. SPEAKER :—"I will allow ten minutes."

SRI M. NARAYANA KURUP :—"Sir, I have to hurry up though I may not be able to cover all my points."

"In the 1950 Bill as it was originally published, of course I too concede there are three important points. Two are most important, viz., fixity of tenure and fair rent and the latter without the former, I would say, is a mere mockery. In regard to fixity of tenure, the 1950 draft Bill promised the cultivating tenant that if he had been in continuous possession of land for 12 years, he would be given 5 acres of land and would be evicted by the landlord only from the rest. Indeed that was a great consolation and a great change made in the amending Bill. It also provided that no tenant could be evicted from the lands belonging to trustees or devaswoms. In regard to fair rent, it accepted the well known principle all over the world in any tenancy legislation, that the fair rent fixed by any legislation is the maximum rent payable by a tenant and in between he is entitled to contract for any less rent. In other words, the liability of the tenant is to pay a fair rent or contract rent whichever is less. This salutary principle was accepted in the draft Bill."

"Now, what were the changes made by the Select Committee? They took away completely that provision which gave the tenant the right to enjoy five acres of land had he been in occupation of it for 12 years. Then there is the invidious distinction that instead of saying that tenants in lands belonging to trustees and devaswoms cannot be evicted, they stated that trustees and devaswoms cannot evict. I shall show the anomaly and injustice done to the cultivating tenant. Suppose there is a plot of land 'X' belong to a devaswom 'A' and there are 2 or 3 tenants. 'A' gives the land to 'B' a kanamdar and 'B' gives it to 'C' who is the cultivating tenant. Devaswom 'A' cannot evict the kanamdar 'B', but 'B' can evict the cultivating tenant 'C'. Can there be a more discriminating legislation than this against the interests of a cultivating tenant? These were the important fundamental changes made by the Select Committee and it is no wonder that the people threw the Bill on the face of the Minister who stood for election. When we were agitating for restricted permanency when this amendment

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was brought forward, what we find is that the provisions regarding fixity of tenure and fair rent are much worse. Mr. Gopala Menon remarked that the one universally hated clause in the Bill was in regard to the compulsory fixation of rent. I would challenge him on that point. Sir, the proposed legislation at least has this merit. I am afraid I have no time to quote. Mr. Raghavendra Rao, Special Officer, has observed in many places that giving the right for the tenant to apply for fixation of rent when he is not given the fixity of tenure is a complete moonshine. Therefore if there was compulsory fixation of rent at least, the tenant would be liable to pay only fair rent. So long as the right to resume the land in favour of the landlord remains no other provision to fix fair rent will be of any avail. At this stage, I have to say something about the right of the landlord to resume land for personal cultivation. It is often times argued with some gusto and seeming justification, 'why should we not allow the landowner to resume the land?' I would request Mr. Gopala Menon to define the word 'landowner.' Sir, we are now in a state where we have no quarrel with words and phrases. But when once we attempt to analyse their content and define them, we part. We know, Sir, the meaning of 'agression.' But lawyers of international repute have not been able to define 'agression.' Ownership has been described as a bundle of rights and if we untie the bundle and hand over the sticks to different persons, can anyone of them be called the owner? I shall put it in another way. Suppose the notional value of ownership is one rupee or sixteen annas and we change it into four four-anna pieces and distribute them to four persons, can we say that all these persons are given one rupee each.

"Sir, here I want to explain the position between the tenant and the intermediaries. Suppose there is a plot of land belonging to a jenmi 'A'; 'A' leases the land to 'B' for Rs. 200; 'B' gives it to 'C' for Rs. 300; 'C' gives it to 'D' for Rs. 400 and 'D' in turn gives it to 'E' for Rs. 600. It has been observed that on an average there are four intermediaries on any land in Malabar. When my friend says 'resumption for personal cultivation' I want to know whom he means by the word 'landowner'. Can he say all these four persons are landowners and subject the security of the tenant to all these people? If all of them are to be granted 5 acres each for personal cultivation, and if the tenant is to be evicted, he will be deprived of every inch of his land. That is why my friend Mr. Gopalakrishnan was so very vehement that these tenants who have been on the property for twenty, thirty and forty years, will be driven into the streets as wage-earners if we are to apply the principle of land being resumed by the landowner, giving definition for 'landowner' as I have given just now. It is really a very dangerous proposition. Any amount of benefit that you confer on the tenant will fail unless he is given the right to cultivate his land so long as he pays the rent. Sir, my friend read section 10; I want him to read sections 14 and 20, the sections by which the tenant's security can be defeated. We do not quarrel with any of the other rights of the landlord; we only say that the tenant's security should not be interpreted in any

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limited sense. It is a very important point in favour of the tenant, and without a proper provision in that regard, his position will become completely insecure.

"At the time of the discussion of the previous Bill, it was stated that such a provision would offend Article 19 of the Constitution. A good reply to that argument was no doubt given; I may add that we are not asking the Government to give him complete security and not to evict him in any way whatsoever. For instance, if he does not pay the rent, if he is in collusion with another person, or if he denies the right of the landlord, and for a hundred of other such reasons, he is liable to be evicted. Therefore I submit that no question of expropriation of rights can come in the way of bringing forward a provision conferring security of tenure on the tenant.

"Then, Sir, with respect to the machinery that is contemplated for fixing the fair rent, I submit it is certainly obligatory on the part of the State to compulsorily fix the fair rent. It has been stated by Mr. Raghavendra Rao throughout his report that it is the function of the State to fix such fair rent. Somebody stated that this process of fixing the fair rent would take a very long time. Even for that, a remedy is suggested in the report itself. Rack-renting to a very high degree is prevalent in the Walluvanad and Palghat taluks of Malabar. This House and the Minister, I am sure, will attach sufficient importance to the opinion of experts on this question of rackrenting. A recent American expert visited Walluvanad and Palghat and also Tanjore, and he has observed that in all these three places, the existing rent is 75 per cent of the gross produce. I would request the House to remember that this observation was made in the year 1952. According to the 1930 Bill itself, the share of the landlord was fixed at two-thirds of the net produce and in the 1950 Bill, it was fixed at half. It shows that in spite of the provision made in the 1930 and 1950 Bills, no tenant availed himself of the provision regarding fair rent. Of course no tenant can afford to displease his landlord, as Mr. Raghavendra Rao said; otherwise, he would be turned away from his holding. For the matter of that, even if you provide to-day that a tenant need not pay any rent at all, the landlord would somehow exact a good amount if only he is given the right to evict the tenant.

"One surprising thing here is that though the tenant is given the right to apply for fixation of fair rent, if an agreement is come to between him and the landlord, he must abide by it. For instance, if a landlord tells a tenant 'I would sue you for eviction unless you put your signature to this contract fixing the fair rent at Rs. 300' no tenant can dare refuse him; and that is the vicious provision we find incorporated here.

"Then again, I find that section 52-A is now being repealed. (At this stage Mr. Speaker sounded the gong.) I shall finish in a minute or two, Sir. The provision in that section was conceded only as a result of long years of struggle. When for the first time the first serious agitation for tenancy reform was started, all the

janmis converted their lease deeds into mortgages. They were so converted in hundreds and thousands. That section empowered the court to"

*** SRI R. KRISHNAN :—** “ Mr. Speaker, Sir, മലബാറിലെ കൃഷിക്കാരുടെ നിരന്തരമായ പ്രക്ഷോഭത്തെയും ആവശ്യങ്ങളെയും മാനിക്കാതെ ജനീമംഗളത്തെക്കുറിച്ചുള്ള കൊടുവണിയിട്ടുള്ള ഒരു ബില്ലാണിതന്നെ” എന്നൊരു നോട്ടത്തിൽ മനസ്സിലാക്കുവാൻ സാധിക്കും. കഴിഞ്ഞ പൊതുവിരുന്നെടുപ്പിനെ തുടർന്നാണ് കഴിഞ്ഞ മനു്സി സഭ പാസ്സാക്കിയ ബില്ല് നിർമ്മിച്ചത്. പക്ഷെ ഒരു കൊല്ലക്കാലത്തിലധികം നീണ്ടുനിന്നതിനാലേകം വളരെ ഗൗരവമേറിയ ആലോചനകൾക്കുശേഷം കൊടുവണിയിട്ടുള്ള ഈ ബിൽ കഴിഞ്ഞ ബില്ലിന്റേന്ന് ഒരു ഇഷ്ടപോലും മുങ്ങുന്നത് പോയിട്ടില്ല എന്നുള്ളത് വളരെ അധികം പരിതാപകരമാണ്. മലബാറിലെ ജനങ്ങൾ വളരെ അധികം പ്രാദേശികമായിരിക്കണം ഉള്ളതെന്നായിരുന്നു ബില്ലാണിച്ച്. ബഹുമാനപ്പെട്ട നിയമ മന്ത്രി ശ്രീമാൻ കുട്ടിമുസ്സർ നായർക്ക് നേതൃത്വത്തിൽ മലബാറിൽ നിന്ന് എല്ലാ പാട്ടികളിലും പെട്ടെന്നു എം.എൽ.എ. മാർ ഹജൂരിയർക്ക് നിശ്ചയിച്ച സംഗതികളിൽ കാമ്പുകയറിയെന്നുണ്ട് ഇത് ബില്ലിൽ കൊടുവണിയിട്ടില്ല എന്നുള്ളത് ഇതുകൊണ്ട് ഗവണ്മെന്റിന്റെ ജനാധിപത്യ വിരുദ്ധ സാമ്രാജ്യത്വം ഒരിക്കൽ കൂടി പൊക്കിക്കാണിക്കുന്നു. മലബാറിലെ ബഹുജനങ്ങളെയും എത്രയും ദൈവദൂഷിതരും ഉൾക്കൊള്ളുന്ന ഈ പുതിയ കഠിനവും ബില്ലിലെ വ്യവസ്ഥകൾ ഇന്നിന്നത്തായിരിക്കാം എന്ന് ചൂണ്ടിക്കാണിച്ച് കൊണ്ടുള്ള ഗവണ്മെന്റിന്റെ കീഴ്വഴക്കത്താണ് ഇതായിരുന്നത്. എല്ലാ രാജ്യങ്ങളിൽനിന്നും കർമ്മ സംഘടനകൾ ഇത്തരത്തിലുള്ള നിഷ്പ്രദേശങ്ങൾ അയച്ചിട്ടുണ്ട്. മലബാറിൽ എല്ലാ കർമ്മങ്ങളിലും പെട്ട എം.എൽ.എ. മാർ ഇതിനെ പററി നിശ്ചേശങ്ങൾ സമർപ്പിച്ചിട്ടുണ്ട്. ശ്രീമാൻ ഗോപാല മേനോൻ മുതിർന്ന മറ്റു എല്ലാ കോൺഗ്രസ്സ് എം.എൽ.എ. മാർക്കും ഈ ബില്ലിന് പ്രതിഷേധം ഉണ്ടെന്നാണ് എന്ദിയാ മനസ്സിലാക്കുവാൻ സാധിച്ചത്. യഥാർത്ഥത്തിൽ ഇത് മലബാറിലെ ജനങ്ങൾക്കുവേണ്ടിയുള്ള ഒരു ബില്ലല്ല, കൃഷിക്കാർക്കുവേണ്ടിയുള്ള ഒരു ബില്ലല്ല, ജനീതപത്തെ അനുപാതി നിശ്ചയിക്കുന്ന ഒരു ബില്ലാണ് എന്നു പറയേണ്ടിവരും. മലബാറിലെ കൃഷിക്കാർ ന്യായമായ ആവശ്യങ്ങൾക്ക് പ്രക്ഷോഭം സംഘടിപ്പിക്കുന്ന സമയത്ത് ഇതാ പുതിയ ബില്ല് വരുന്നുണ്ട് കുറച്ചുകൂടി കാര്യം നിർദ്ദേശം എന്നുപറഞ്ഞ് പ്രക്ഷോഭത്തെ തടയ്ക്കുകയാണ് ഗവണ്മെന്റിന്റെ പരിഹാസ നയം. അങ്ങനെ കന്നട രണ്ടു കൊല്ലം നീട്ടിക്കൊണ്ടുപോയതിനാലേകം ഇപ്പോൾ ബില്ല് ഒരു സെലക്റ്റ് കമ്മിറ്റിക്ക് വെക്കുകയാണ്. ഇനിയും ബില്ല് പാർലമെന്റിലേക്കു വരാൻ കന്നട രണ്ടു മാസം പിടിക്കും. ഇതിനുശേഷം അധികരിച്ച പാട്ടും കഴിപ്പിക്കാനുള്ള വ്യവസ്ഥകളും അടങ്ങുന്ന ഒരു ബില്ല് കടിയൊന്നുമില്ലാത്തതായിരിക്കുമ്പോൾ കെട്ടിയുണ്ടാകും ചെയ്യുക. ഇതാണ് കോൺഗ്രസ്സ് ഗവണ്മെന്റിന്റെ നയം എന്ന് വളരെ അധികം പ്രശ്നമായിരിക്കുന്നു. മലബാർ ഇന്ന് നാലായിരത്തിലധികം കഴിപ്പിക്കൽ കേന്ദ്രങ്ങൾ കോടതികളിൽ നിലവിലുണ്ട്. ‘മനുഭൂമി’ പത്രം ടി.വേസന ചൂണ്ടിക്കാണിക്കുന്ന എത്രയോ അധികം കഴിപ്പിക്കൽ കേന്ദ്രങ്ങൾ കോടതികളിൽ നിലവിലുണ്ടുണ്ട്. ഇത്തരംതരം വകവെക്കപ്പെട്ട കൃഷിക്കാർ കഴിപ്പിക്കാം എന്ന വ്യവസ്ഥയോടുകൂടി മലബാറിലെ കൃഷിക്കാർ അവകാശപ്പെട്ടതാൻ കൊടുവണിയിട്ടുള്ള ബില്ലിനെ സ്വീകരിക്കുവാൻ ഇങ്ങനെയൊരു നിവൃത്തിയില്ല. പക്ഷെ ഇന്ന് പി.എസ്.ഡി. എ.എൽ.എ. മാർക്കെങ്കിലും ഇങ്ങനെയൊരു സെലക്റ്റ് കമ്മിറ്റിയിൽ സാക്ഷാദർശനം ഇരിക്കുന്നില്ല. സംഗതി എന്താണെന്നുവെച്ചാൽ ഈ ബില്ലിന്റെ നാശനാശങ്ങളെയും നാട്ടുകാർ വിവിധിച്ച് കൊടുത്തശേഷം അവർക്ക് അഭിപ്രായങ്ങൾ അറിഞ്ഞ് അത് സെലക്റ്റ് കമ്മിറ്റി മെമ്പർമാർക്ക് അറിയിക്കുവാൻ ഈ അവസരം ഉപയോഗിക്കാമല്ലോ? എന്നിട്ടും ഈ ബില്ല് ഇത്തരംപടി നിയമമായി പരികയാണെങ്കിൽ തീർച്ചയായും ഇങ്ങനെയൊരു സമരത്തിലും ഉപയോഗിച്ചു എന്തുകൊണ്ടായി വരും. ഈ ബില്ല് മലബാറിലെ കൃഷിക്കാരുടെ കഷ്ടനഷ്ടങ്ങൾക്ക് ഒരു നിവാരണ വരുത്തുവാൻ പര്യാപ്തമല്ല. കൃഷിക്കാരുടെ പ്യാന ആവശ്യങ്ങൾ എന്താണ്? ഒന്നാമതായി അവർക്ക് ഭൂമിയിൽ സ്ഥിരാവകാശം കിട്ടണം. അതാണിതിലില്ലാത്ത രണ്ടാമത്തേത് പാട്ടും മറ്റുംപോലാക്കണം. ഇന്ന് ജനീമംഗളം പിടിച്ചുപറിക്കാണു

[Sri R. Krishnan] [2nd April 1953]

12-40 P.m. കൂടിക്കാർ പാപ്പരാണ്, കടക്കാരാണ്. അദ്ധ്വാനിച്ചുണ്ടാക്കുന്ന മുഴുവൻ നെല്ലും പാട്ടു മാഴിട്ടും, പറവാശിയായിട്ടും, കാഴ്ചവെച്ചിട്ടും പട്ടിണിയായി കഴിഞ്ഞുകൂടുന്ന മലബാറിലെ പാവപ്പെട്ട കൂടിക്കാർ അവരുടെ പാട്ടുള്ളവ് ചെയ്യുകിട്ടണം എന്നു പറയാൻ തുടങ്ങിയിട്ട് കാലം കറച്ചായി. 1951 ലെ ബില്ലിൽ ഒരു ഏതു നമ്പലത്തിന് 22 പറ നെല്ലാണ് കൂടിചെയ്യവ് നിശ്ചയിച്ചത്. നാല്പ്പത്തിരണ്ടു പറ നെല്ലെങ്കിലും കൂടിചെയ്യുവാൻ കിട്ടണം എന്നാണ് കൂടിക്കാരുടെ ആവശ്യം. മലബാർ കിസാൻ സഭയുടെ അഭിപ്രായം 30 പറയെങ്കിലും വകയിരുത്തണമെന്നാണ്. കഴിഞ്ഞ 1951 ലെ ബില്ലിലെ മയ്യാദപാട്ടം വാസുവത്തിൽ മയ്യാദപാട്ടമല്ല. ജന്മിമാർക്ക് പഴയപടി കടിയാന്മാരിൽ നിന്ന് പിടിച്ചുപറിക്കുവാൻ ഉള്ള സൗകര്യങ്ങളും ഭൂരിപ്പിടവാങ്ങുള്ള സൗകര്യങ്ങളും നില നിൽക്കുകയാണ് അത് ചെയ്യുന്നത്. ജന്മിക്ക് സ്വന്തം കൂടിനടത്താൻ ഉത്തമ വിശപ്പാസത്തിൻമേൽ ഭൂരിപ്പിടവാങ്ങുള്ള ആയിരക്കണക്കിൽ കേസ്സുകൾ ജന്മിമാർ ഹയൽ ചെയ്യുകൊണ്ടിരിക്കുന്നുണ്ട്. പാട്ടമ്പാക്കിയുടെ കാര്യത്തിൽ അഞ്ചാറു കൊല്ലത്തെ പാട്ടമ്പാക്കി കൊടുക്കണം എന്നു പറയുന്നു. ജന്മിമാർ കൊടുത്ത പാട്ടത്തിന്നു തന്നെ രശീദി കൊടുക്കാതെ വീണ്ടും പാട്ടമ്പാക്കിയുടെ പേരിൽ കേസ്സ് കൊടുത്തു കൊണ്ടിരിക്കുകയാണ്. കഴിഞ്ഞ മകരവിള തിരെ ഉണങ്ങി പോയതിനുള്ള പാട്ടമ്പാക്കികൂടി കേസ്സുകൾ കൊടുത്തുകൊണ്ടിരിക്കുന്നു. കഴിഞ്ഞ കന്നിയിലെ വീരപ്പ് വിള നശിച്ചുപോയിട്ടുണ്ടെന്ന് കേക്കറകമ്മിററൂടി ഗവണ്മെന്റിലേക്ക് റിപ്പോർട്ട് ചെയ്തിട്ടുണ്ട്. ആ പാട്ടം കൊടുക്കാൻ കഴിയാത്ത കടിയാന്മാരുടെ പേരിലും കേസ്സുകൾ കൊടുത്തുകൊണ്ടിരിക്കുന്നു. അങ്ങിനെ മലബാറിൽ എവിടെ നോക്കിയാലും പാട്ടമ്പാക്കിയാണ്. ഈ പാട്ടമ്പാക്കി കൊടുക്കണം എന്ന് വ്യവസ്ഥ ചെയ്യുകയാണെങ്കിൽ ഭൂമിയിൽ സ്ഥിരവകാശം കൊടുക്കുകയാണെങ്കിൽ കൂടി മലബാറിൽ കരോറ കൂടിക്കാരനും ഈ ബില്ലിന് നിയമമാകുന്ന തീയതി മുതൽ അവിടെ നില്ക്കുവാൻ സാദ്ധ്യമല്ല. തീർച്ചയായും മുഴുവൻ ഭൂമിയും പാട്ടമ്പാക്കിയുടെ പേരിൽ കൂടിക്കാരുടെ കൈയിൽ നിന്ന് ജന്മിമാരുടെ കൈയിലേക്ക് നീങ്ങുവാൻ പോകുകയാണ്. അങ്ങിനെ മലബാറിലെ കൂടി സമ്പ്രദായം തന്നെ പാടെ തകരുവാൻ പോവുകയാണ്. ഇതിന് എന്തായി ശക്തിമത്തായ ഒരു ബഹുജന പ്രസ്ഥാനം മലബാറിൽ ഇളകിവരുവാൻ പോകുന്നുണ്ടെന്ന സൂചന അതിന്റെ ബീജം ഈ ബില്ലിൽ ഉണ്ട്. ബഹുമാനപ്പെട്ട മന്ത്രി ശ്രീമാൻ കട്ടികൃഷ്ണൻ നായരും ഇവിടെയുള്ള കോൺഗ്രസ്സ് എം. എൽ. എ. മാർ പ്രധാന മന്ത്രിയും ഈ കാര്യത്തിൽ ശ്രദ്ധവെച്ച് അടിയന്തരമായി, ഈ ബില്ലിൽ കൂടിക്കാർക്ക് അനുക്രമമായ മാറ്റങ്ങൾ വരുത്തിക്കൊണ്ട് സമീകരിക്കണം എന്നാണ് എനിക്ക് അവസാനമായി പറയുവാനുള്ളത്."

* SRI A. APPU :—" Mr. Speaker, Sir, we are only four members from the Congress benches from Malabar; one is the Hon. Mr. Kuttikrishnan Nair and the others are Sri Gopala Menon, Sri Sankaravarma Raja and the other is myself. Sankaravarma Raja is a big landholder and Sri Gopala Menon too is a landholder. So far as I know, the Hon. Minister, Kuttikrishnan Nair, is also a landholder. But, I am a poor tenant. I belong to a very poor family and my family holds lands under Nambudiri janmis. I am not a tenant of the famous E. N. Sankaran Nambudiripad, but we own lands belonging to his brother. They have been very good to the tenants and there is no rackrenting and we are treated very kindly. But I am sorry that middle-class jenmis are troubling their tenants very much."

SRI M. NARAYANA NAMBIAR :—" On a point of order, Sir, the hon. Member, Mr. Appu is saying that he is a tenant of Sankaran Nambudiripad. He is not a landholder and he has no inch of property."

MR. SPEAKER :—" That is not a point of order."

SRI A. APPU :—" I did not say I am the tenant of Sankaran Nambudiripad, but of his elder brother. He is a very good janmi!"

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If all the janmis are like him there is no necessity for any such tenancy legislation. But there are other janmis who treat the tenants very cruelly.

" Sir, this is not the occasion to deal with the Bill on its merits. The Hon. Law Minister has moved a motion referring the Bill to a Select Committee. On the Select Committee we can examine the pros and cons of the question. I am only sorry that my Friend, Mr. Narayana Kurup, has refused to be a member of the Committee. He is a gentleman who has studied the question very thoroughly. The Hon. Law Minister has mentioned the names of the members of the Select Committee, but I am sorry that his name is not there because his leader and the other members of his party refused to co-operate in regard to this Bill. If Mr. Narayana Kurup agrees to serve on the Committee I am prepared to request the Hon. Minister to delete my name, because as I said already he has made a special study of the subject.

" Sir, I do not wish to make a long speech but I wish only to make a few observations. The Bill in its present form will not do any good to the tenants and it requires amendment. What I wish to submit is, the tenants should be given fixity of tenure; at the same time, we should give fair rent to the janmis. This is my humble view.

" Another question is in regard to ulkudidars. I am sorry to submit that the provision in the Bill is not at all sufficient. Mr. Gopala Menon comes from an area where there are a large number of ulkudidars. I understand that he himself has a number of ulkudidars. Last August when we had an opportunity to discuss about this Bill with the Hon. Chief Minister I represented that they should be given relief. Mr. Gopala Menon said that ulkudidars should not be given any right at all. I told the Hon. Chief Minister that the ulkudidars there are treated as watchdogs. But, Mr. Gopala Menon and others interested said that I do not know anything about the conditions of ulkudi in Ponnani taluk. I went to Guruvayur a place which is full of ulkudis and I consulted several ulkudidars. The cases of hardship they gave me were very many. In fact, one old gentleman said ' we can suffer anything but the poor girls in our houses are not safe ' I am ashamed to say all that the landlords do. I would therefore say that the ulkudidars also should be given some rights. It was on the suggestion of the Hon. Chief Minister that the provision relating to three years notice to be given to the ulkudidars has been embodied in the Bill and I am very grateful to the Hon. Minister for it. I represented to the Hon. Chief Minister, ' So long as you are the Chief Minister we will get an enactment which will be acceptable to both the janmis and the tenants ' and for that little provision regarding ulkudidars alone the whole of Malabar should be grateful to the Hon. Chief Minister.

" Sir, we are also grateful to the Hon. Chief Minister for another thing. A big staff was appointed for determining fair rent. They asked the poor tenants to produce this document and

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that document. We made representations about it to the Hon. Chief Minister and he heard us patiently. As a result of the discussion he immediately said, 'we will recall that staff.' For that also we, Malayalees, are very grateful to him.

"Sir, I was not prepared for a speech because I never thought that I will be given an opportunity to make a speech now. I thought we would get an opportunity in the Select Committee and then when the Bill finally comes to the Assembly for consideration we will be given opportunities to speak on the provisions of the Bill. But when I found other members were speaking I thought I should also speak; otherwise I would be misunderstood. I only want to make this submission to the House. I hope the Hon. Chief Minister, the Hon. Law Minister and the other members who are on the Select Committee will consider the grievances of the tenants of Malabar and revise the Bill accordingly. Thank you, Sir."

12-50 * SRI E. K. SANKARA VARMA RAJA :—"Mr. Speaker, p.m. Sir, my Friend Mr. Appu remarked that I was a big landlord. I was born in a royal family, but I do not pose that I am a big landlord. If I want to become a big landlord, I am afraid that ten more people will have to die in my family. I am one of those who work hard and labour for their livelihood. So let not people misunderstand that I am a big man.

"Coming to the Bill, I am of opinion that fixity of tenure must be given to the actual cultivating tenant. As Mr. Narayana Kurup said, there are ever so many intermediaries in Malabar, who are collecting a high rent from the actual cultivator. The janmi leases his land to a tenant, the tenant leases to a sub-tenant and thus the chain goes on. But the janmi gets only very little. For instance, for a coconut garden which yields between 5,000 and 10,000 coconuts a year, the janmi gets only Rs. 2 or 3 per year excluding the revenue. The intermediaries are enjoying a greater portion of the benefit. Very little is left to the actual cultivating tenant after he pays to the intermediaries. I am of opinion that the actual cultivating tenant must be given permanency, and the Government must give him some protection in this regard.

"I am against eviction. We are all citizens of the Indian Union, and if one is asked to go away from a house in which he has been living for three years, it is unpardonable. Where is he to go? He must have some house provided by the Government, the landlord, the intermediary or whoever it is.

"To study the Bill thoroughly, it will take some time. I will have my say on the Bill after studying it thoroughly."

* SRI KUNHI MOHAMED SHAFEE :—"Mr. Speaker, Sir, ഈ ബില്ലിനെ സംബന്ധിച്ച് എന്റെ കക്ഷിയുടെ അഭിപ്രായം ഏതാറും നിരസാജനകവും വളരെ അനുകൂലവും ആണെന്നുള്ളത് ഞാൻ ചുരുക്കമായിട്ട് പറയാമല്ലോ. വാസ്തവത്തിൽ വളരെക്കാലമായി നൂടന പ്രക്ഷോഭം കൊണ്ട് കടിയൊന്ന് സ്ഥിരവകാശം നൽകുന്നതും ജന്മിക്ക് കഴിപ്പിക്കാൻ ഉള്ള അവകാശം നിയന്ത്രിക്കുന്നതുമായ ഒരു ബില്ല്—ആ നാളിൽ അസാധ്യം കൂടുതൽ കഴിക്കാൻ തക്കവിധത്തിലുള്ള ഒരു ബില്ല്—അവതരി

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കുറച്ചും എന്നായിരുന്നു ആങ്ങൾ പ്രശീകരിച്ചിരുന്നത്. ശ്രീമാൻ കുട്ടികൃഷ്ണൻ നായർ ഉൾപ്പെടെയുള്ള മലബാറിലെ എം.എൽ.എ. മാരായ ആങ്ങൾ നടത്തിയ ഒരു ഇൻഫർമൽ കൂടിയാലോചനകൊണ്ടു ആങ്ങൾ ധരിച്ചതും അങ്ങിനെയായിരുന്നു. ആ കൂടിയാലോചനയിൽ നിലവിലുള്ള നിയമത്തിലെ 14-ാം 20-ാം വകുപ്പുകളെ സംബന്ധിച്ച് ഉള്ള ആലോചനകൾക്ക് അധികസമയം എടുക്കുകയുണ്ടായത്. അതിനെ സംബന്ധിച്ച് വിവിധങ്ങളായ അഭിപ്രായങ്ങൾ ഉന്നയിക്കപ്പെടുകയും ഉണ്ടായി. ഈ വക കാര്യങ്ങളെല്ലാം ആലോചിച്ച് തൃപ്തികരമായ ചില വ്യവസ്ഥകൾ പുതിയ ബില്ലിൽ കൊണ്ടു വരാൻ തീരുമാനിച്ചതായി ആങ്ങൾ ധരിക്കുകയും ചെയ്തു. നിർദ്ദേശവശാൽ ഈ രണ്ടു വകുപ്പുകളെ സംബന്ധിച്ചും യാതൊരു മാറ്റങ്ങളും ഈ പുതിയ ബില്ലിൽ വരുത്തിയിട്ടില്ല എന്നു വ്യസനത്തോടെ പറയേണ്ടിയിരിക്കുന്നു. ശ്രീമാൻ ഗോപാല മേനോൻ സ്ഥിര വകാശം ലഭിക്കുന്നതിനുള്ള വ്യവസ്ഥ നിയമത്തിലെ 10-ാം വകുപ്പിലുണ്ടെന്നു ചൂണ്ടിക്കാണിക്കുന്നു. ഇത് കേരളസഭാമന്ദിര മലബാറിലെ സഭാമന്ദിര അറിയുന്ന ആങ്ങൾക്ക് വളരെ അനുകൂലവും വ്യസനകരമായൊന്നുമാകുന്നു. ഇന്ന് മലബാറിൽ നാലയ്യായിരം കുതിപ്പിടം വ്യവഹാരങ്ങൾ പുതുതായി കോടംകിട്ടിൽ ഫയലാക്കിയിട്ടുള്ളതുള്ള സംഗതി വിസ്മയിപ്പിക്കാൻ പാടുള്ളതുമാണ്. ഈ കുതിപ്പിടം വ്യവഹാരങ്ങളിൽനിന്നു രക്ഷ നേടാൻ 10-ാം വകുപ്പ് കടിയാനെ എത്രത്തോളം സഹായിക്കുന്നുണ്ടെന്നു ഞാൻ ചോദിച്ചു കൊള്ളട്ടെ. 52-A എന്ന വകുപ്പ് വേണ്ടെന്നുവെക്കുന്നത് കടിയാനെൻ ഗുണത്തിന്നാണോ? ഈ പുതിയ ബില്ലിൽ കടിയാനാക്ക് കോടമായ കാര്യങ്ങൾ എന്തെല്ലാമാണെന്ന് ഞാൻ ചൂണ്ടിക്കാണിച്ചിട്ടില്ല എന്നു ശ്രീമാൻ ഗോപാല മേനോൻ പറയുമ്പോൾ എന്തെല്ലാം ഗുണകരമായ കാര്യങ്ങളാണ് ഈ ബില്ലിൽ ഉൾക്കൊള്ളിച്ചിട്ടുള്ളതെന്ന് ഒരു ചോദ്യമുണ്ടോ അദ്ദേഹത്തോടു ചോദിക്കാൻ തോന്നുന്നു. യഥാർത്ഥത്തിൽ എൻററ കക്ഷിയുടെ അഭിപ്രായം മലബാറിൽ അസാധാരണവും കൂടുതലും കൂടാതെ സമാധാനത്തോടു എശ്വര്യത്തോടുകൂടി പുരോഗതിയിലേക്ക് പോകുന്നതിന് ഉതകുന്ന ഒരു അന്തരീക്ഷം സൃഷ്ടിക്കുവാൻ പര്യാപ്തമായ ഒരു നിയമം കൊണ്ടുവരണം എന്നാണ്. ഈ ബില്ല് അതന്നു പര്യാപ്തമല്ല എന്നുള്ളതു് വളരെ വേദനാജനകമായ ഒരു സംഗതിയാണ്. ജന്മികളെ തീരെ അവഗണിച്ച് കടിയാനാക്ക് മാത്രം ഗുണം ചെയ്യണം എന്നു എൻററ കക്ഷിക്ക് അഭിപ്രായമില്ല; ഇതുകൂടാതെ സുഖമായ ജീവിതം വാങ്ങി ഒരു അന്തരീക്ഷം സൃഷ്ടിക്കുവാൻ കഴിയും വ്യവസ്ഥകൾ ഈ നിയമത്തിൽ ഉൾക്കൊള്ളിക്കണം എന്നുമാത്രമാണ് ആങ്ങൾ ആവശ്യപ്പെടുന്നത്. ജന്മികൾ കൂടാതെ കഴികയില്ലെന്നും കടിയാനാ കൂടാതെ കഴിയുമെന്നും ഉള്ള ഭൂമികളെ മാത്രം കുതിപ്പിക്കാൻ അവകാശം നൽകുന്നതാൽത്തിൽ കുതിപ്പിക്കുവാനെ നിയന്ത്രിക്കുന്ന വ്യവസ്ഥകൾ ബില്ലിൽ ഉൾക്കൊള്ളിക്കണം. മലബാറിലെ ഇന്നത്തെ കലണ്ടിമറിയത്തു കാരാക്കി സാധാരണക്കാരെ കൂടുതൽ കഷ്ടത്തിലേക്ക് വലിച്ചിടാതെ ആ ലഭ്യമായ സമാധാനവും ഐശ്വര്യവും ഉള്ള സ്ഥിതിഗതിയിലേക്ക് നയ്ക്കുവാൻ ഇടയാക്കുന്നതാൽ മാറ്റങ്ങൾ ഈ ബില്ലിൽ സെലക്ട് കമ്മിറ്റി വരുത്തണം എന്നു എനിക്ക് അപേക്ഷയുണ്ട്. മലബാറിലെ എല്ലാ നിയമസഭാ മെമ്പർമാരും ഉൾക്കൊള്ളുന്നവ്യക്തികൾ ഈ സെലക്ട് കമ്മിറ്റി വിപുലമാക്കുന്നതിനുള്ള ഏർപ്പാടുകൾ ചെയ്യണമെന്ന് വളരെ വിനീതമായി അഭിപ്രായപ്പെട്ടു കൊള്ളട്ടെ. വാസ്തവത്തിൽ വിവിധവിഭാഗങ്ങളെ പ്രതിനിധീകരിക്കുന്ന ജനപ്രതിനിധികൾ ഈ നിയമ സഭയിൽ ഉള്ളതുകൊണ്ട് അവരുടെ അഭിപ്രായങ്ങൾ മുന്നെ പറഞ്ഞു ഈ ബില്ലിൽ വേണ്ടപ്പെട്ട മാറ്റങ്ങൾ വരുത്തിത്തീർക്കുവാൻ സെലക്ട് കമ്മിറ്റിയിൽ അമരമെടുത്ത സാന്നിദ്ധ്യം അത്യാവശ്യമാണെന്നു ഞാൻ കരുതുന്നു."

MR. SPEAKER:—"The Member's time is up . . ."

* SRI O. KORAN:—"Mr. Speaker, Sir, ഇപ്പോൾ ഈ യോഗത്തിന്റെ 1 p.m. മുമ്പാകെ വന്നിട്ടുള്ള മലബാർ കടിയാനാ ബില്ലിനെ സംബന്ധിച്ചു മലബാറിലെ എല്ലാ അംഗങ്ങൾക്കും ശക്തിമത്തായ പ്രതിഷേധം ആണ് ഉള്ളതെന്നു ഇവിടെ പ്രകടിപ്പിച്ചു കഴിഞ്ഞു. എനിക്ക് ഇതിൽ പ്രധാനമായി ഒരു കാര്യം മാത്രമാണ് പറയാനുള്ളതു്. മലബാറിൽ ഈ പുതിയ നിയമം വരുന്നതോടുകൂടി ഏതാണ്ട് മൂന്നു നാലു ലക്ഷം വരുന്ന ഹരിജനങ്ങളെ വെറും തെരുവുനഗ്നങ്ങളാക്കുന്ന വ്യവസ്ഥ ഈ നിയമത്തിൽ ഉൾപ്പെടുത്തിയിട്ടുള്ളതുള്ളതു് വേദനകൊടുക്കിയും വ്യസനത്തോടുകൂടിയും പറഞ്ഞുകൊള്ളട്ടെ. കാരണം, ജന്മിമാർക്കു മൂന്നു കൊല്ലത്തെ നോട്ടീസിനുശേഷം പാവപ്പെട്ട ഹരിജനങ്ങളെ കടി കുതിപ്പിക്കുവാൻ നിയമം അനുവദിച്ചുകൊടുക്കുന്ന ഒരു വ്യവസ്ഥ ഈ പുതിയ നിയമം

[Sri O. Koran]

[2nd April 1953]

ത്തിൽ ഉൾപ്പെടുത്തിയിട്ടുള്ളതാണ്. അക്കുറവുമായ ഒരു അപരായമാണ്. ഈ രാജ്യത്തിൽ രാവു പകലും അധ്വാനിച്ചുകൊണ്ടിരുന്ന ഒരു ജനവിഭാഗത്തെ നിദ്രാക്കിണ്ണം ഇങ്ങിനെ ആട്ടി കാടിക്കുന്ന ഒരു വ്യവസ്ഥ നിയമത്തിൽ ഉൾപ്പെടുത്തിയതു അന്യായമാണ്. മഹാകവി ഭാരതി പറഞ്ഞുപോലെ 'ഉഴുവുക: തെഴിവുകയും വന്നു ചെല്ലും വീണിലുണ്ട് ഇരിപ്പോക്കു നിന്ദന ചെടിയും.' പരിക്രമമായ ഒരു കാലഘട്ടത്തിൽ ആധ്വാനിക്കുന്ന ജനങ്ങളെ അവഗണിക്കുന്നതു ന്യായീകരിക്കുവാൻ നിവ്വാഹമില്ല. പണ്ഡിറ്റ് നെഹറുവിനെ പട്ടയവത്സര പദ്ധതിയിൽ പറയുന്ന അധ്വാനമാണ് രാജ്യത്തിന്റെ സമ്പത്ത് എന്ന്. ഹരിജനങ്ങൾ ഈ രാജ്യത്തിൽ അധ്വാനിച്ചു സമ്പത്തുണ്ടാക്കുന്നു. അങ്ങിനെയുള്ള ഒരു ജനവിഭാഗത്തെയാണ് ഈ പരിക്രമ സമൂഹത്തിൽ ആട്ടി കാടിക്കാൻ ഒരു വ്യവസ്ഥ ഈ നിയമത്തിൽ ഉൾക്കൊള്ളിച്ചിട്ടുള്ളത്. ഇന്നും ഹരിജനങ്ങൾ ഭൂരിമതം അനുഭവിക്കുന്ന അടിമകളാണ്. അവരുടെ യുവതികൾക്കു ഇന്നു രക്ഷയില്ല. ജന്മിയുടെ താല്പര്യത്തിനു വഴിപ്പെടാതെ ഇന്നും കള്ളകേസുകൾ ഉണ്ടാകുന്നു. അതുകൊണ്ട് മൂന്നു കൊല്ലത്തെ നോട്ടീസ് കൊടുത്തു ഹരിജനങ്ങളെ ആട്ടി കാടിക്കാം എന്നുള്ള വ്യവസ്ഥ ഉൾപ്പെടുത്തിയതു അന്യായമായിട്ടുപോയി. ശ്രീമാൻ ഗോപാല മേനോന്റെ താല്പര്യത്തെ മുൻനിർത്തി മലബാറിലെ മൂന്നു നാലു ലക്ഷം വരുന്ന ഹരിജനങ്ങളെ ആട്ടി കാടിക്കാൻവേണ്ടി ഇങ്ങിനെ നിന്ദയും നികൃഷ്ടമായ ഒരു നിയമ വ്യവസ്ഥ ഈ ബില്ലിൽ ഉൾപ്പെടുത്തിയതു എത്ര പ്രതിഷേധിച്ചാലും അധികമായിട്ടോ വകയില്ല എന്നു കണ്ടുകൂടി പറഞ്ഞുകൊണ്ട്, എന്നിങ്ങിനെ ഇതിനെപ്പറ്റി അഭിപ്രായം രേഖപ്പെടുത്തുവാൻ അവസരം തന്നതിന്നു നന്ദി പറഞ്ഞുകൊണ്ട്, ഞാൻ അവസാനിച്ചിട്ടു കൊള്ളുന്നു."

SRI VAVILALA GOPALAKRISHNAIAH:—"Sir, after hearing the discussion on this Malabar Tenancy Bill I feel everybody is convinced of the need to have a Province for Kerala, because of its problems . . ."

MR. SPEAKER:—"But they are not for it."

SOME HON. MEMBERS:—"We are for it, Sir."

* **SRI VAVILALA GOPALAKRISHNAIAH:**—"Sir, they are for it. Their agrarian problems are quite different from those of other areas. As we want to have a basic understanding for the whole country regarding agrarian problems, I think the whole Act must be revised. It should be taken up afresh and discussed, and no amending legislation will do. It must be on the lines of the Kumarappa Committee proposals. Otherwise the problems cannot be solved. If anybody should say that under the Five-Year Plan he proposes to do something and thereby produce more, I say there will be no production and no more production, because the lands are all in the hands of landholders. As Mr. Kurup said there are 26 intermediaries in Malabar Tenancy. There are very many absentee landlords. How can the poor peasant bear as many as 26 persons sitting over his head? It is quite impossible. He cannot plough the land nor get the yield. Therefore, let this Bill be circulated for eliciting public opinion. We can take up the comprehensive Bill later. I support the amendment to circulate the Bill for eliciting public opinion."

* **SRI M. NARAYANA NAMBIAR:**—"Mr. Speaker, Sir, ഇന്നിവിടെ അവതരിപ്പിച്ചു തുടങ്ങിയ ബില്ലിനെക്കുറിച്ചു മലബാറിലെ എല്ലാ വിഭാഗത്തിൽപ്പെട്ട ആളുകളും സംസാരിച്ചുകഴിഞ്ഞു. ഞാൻ കേട്ട പ്രസംഗത്തിൽ, ശ്രീമാൻ ഗോപാല മേനോൻറെ മറുപടിയിൽ ഈ ബില്ലിനെ സ്വാഗതം ചെയ്യുന്നതിൽ കണ്ടിട്ടില്ല. അതിലെ മിക്ക വ്യവസ്ഥകളെയും എല്ലാ കക്ഷികളും കമ്മ്യൂണിസ്റ്റ് അംഗങ്ങളും കോൺഗ്രസ്സ് അംഗങ്ങളും പ്രജാ സോഷ്യലിസ്റ്റ് അംഗങ്ങളും സ്വതന്ത്രന്മാരും എല്ലാവരുംതന്നെ എതിർക്കുന്നു."

2nd April 1953]

[Sri M. Narayana Nambiar]

കയാണുണ്ടായിട്ടുള്ളത്. പിന്നെ ആക്ഷേപമേന്തിട്ടാണ് ഈ ബില്ല് അവതരിപ്പിച്ചിട്ടുള്ളതെന്നു മനസ്സിലാക്കുവാൻ പ്രയാസമായിരിക്കുന്നു. എന്നാൽ മലബാറിലെ ജന്മിമാർക്കു നൽകുന്നതോടൊപ്പംതന്നെ കാസർഗോഡ് താലൂക്കിലെ ജന്മിമാരെയും ഈ ബില്ല് കൊണ്ടുവന്നതുകൊണ്ട് ബഹുമാനപ്പെട്ട മന്ത്രി സഹായിച്ചിട്ടുണ്ടെന്നു വേണം പറയുവാൻ. എന്ദി കാസർഗോഡ് താലൂക്കിനെപ്പറ്റിയാണ് പറയുവാനുള്ളത്. കാസർഗോഡിലെ ജനങ്ങൾക്കു കറെ കാലമായി ഒരു കടിയായ നിയമത്തിനുവേണ്ടി പ്രക്ഷോഭം കൂട്ടിക്കൊണ്ടിരുന്നു. കാസർഗോഡിലെ ഭൂവ്യവസ്ഥയും മലബാറിലെ ഭൂവ്യവസ്ഥയും തമ്മിൽ വലിയ വ്യത്യാസം ഇല്ല എന്നു ആക്ഷേപത്തെ അറിയാവുന്ന ഒരു പരമാർത്ഥമാണ്. 1937 ൽ കോൺഗ്രസ്സ് അധികാരത്തിൽവന്നപ്പോൾ ഇന്നത്തെ മുഖ്യമന്ത്രി അന്നത്തെ പ്രധാന മന്ത്രിയായിരുന്നപ്പോൾ മലബാർ കടിയായ നിയമത്തിന്നു ഭേദഗതികൾ ചെയ്തുവാൻ വേണ്ടി ശ്രീമാൻ കുട്ടികൃഷ്ണ മേനോന്റെ അദ്ധ്യക്ഷതയിൽ ഒരു മലബാർ കടിയായ അന്വേഷണസമ്മേളനിയെ നിയമിക്കുകയും ആ കമ്മിറ്റിയുടെ അന്വേഷണത്തിൽ കാസർഗോഡ് താലൂക്കിലെ 46 ഗ്രാമങ്ങളിൽ മലബാറിലെ ഭൂവ്യവസ്ഥയാണുള്ളതെന്നും വ്യക്തമാക്കിയിട്ടുണ്ട്. മാത്രമല്ല തെക്കൻ കണ്ണാടക ജില്ലയിലെ റവന്യൂ അധികാരികൾ ഏതാണ്ട് 52 ഗ്രാമങ്ങളിൽ ഇതു വ്യവസ്ഥയാണുള്ളതെന്നു റിപ്പോർട്ട് ചെയ്തു. ശ്രീമാൻ മാധവ മേനോൻ കഴിഞ്ഞ മന്ത്രിസഭയിൽ ഈ ഭേദഗതി നിയമം അവതരിപ്പിച്ചുകൊണ്ട് ചെയ്ത പ്രസംഗത്തിൽ ഇതു വ്യക്തമായി പറഞ്ഞിട്ടുണ്ട്. എന്നാൽ പിന്നെ അവിടുത്തെ ചില സ്ഥാപിത താല്പര്യക്കാരെ ആവശ്യത്തിന്നു വഴിയില്ലാത്ത 19 ഗ്രാമങ്ങൾ അതിർത്തി എടുത്തുകൊടുക്കണമെന്നായിരുന്നു. ഈ ബില്ല് കൊണ്ടുവന്നപ്പോഴും ഈ 52 ഗ്രാമങ്ങളെ ബാധിക്കും എന്നു ആ നാട്ടിലെ കൃഷിക്കാർ പ്രതിഷേധിച്ചിരുന്നു. എന്നാൽ, അവർ നിരാശയോടുകൂടി ആണ് ഈ ബില്ല് നോക്കുന്നത്. നീക്കംചെയ്യാൻ സാധിക്കാത്ത ഒന്നായിട്ടാണ് ആൻ ഇതിനെ കണക്കാക്കുന്നത്. ഇങ്ങനെ ചെയ്തത് അവിടുത്തെ കൃഷിക്കാരുടെ ചെയ്ത ഏറ്റവും വലിയ അനീതിയാണെന്നു പറയേണ്ടിയിരിക്കുന്നു. കൃഷിക്കാർ സ്ഥിരമായൊരു, കഴിപ്പിക്കുന്നത് തടയുവാനുള്ള വ്യവസ്ഥ എന്നു തുടങ്ങി പലവീധ ആവശ്യങ്ങളും നൽകുവാനുണ്ടായിട്ടും ഈ ബില്ല് അവയൊന്നുംതന്നെ ചെയ്യാത്ത കള്ളമായിപ്പോയി എന്നു പറഞ്ഞുകൊണ്ടിട്ടുണ്ട്. കഴിഞ്ഞ പ്രാവശ്യം നെൽകൃഷിക്കമ്മിറ്റി കാസർഗോഡ് സന്ദർശിച്ചിരുന്നപ്പോൾ കാസർഗോഡ് താലൂക്കിലെ മേൽ പ്രസ്താവിച്ച 19 ഗ്രാമങ്ങളിലുള്ള അയ്യായിരത്തിൽപരം കൃഷിക്കാർ ഒരു നിവേദനം സമർപ്പിച്ചു എന്നു മാത്രമല്ല അവിടെ ചേർന്ന ഒരു പൊതുയോഗത്തിൽവെച്ചു ഈ നിയമം കാസർഗോഡ് താലൂക്കിലേക്കു ബാധകമാക്കേണ്ടതു ആവശ്യമാണെന്നു മന്ത്രി മാധവ മേനോൻ പ്രഖ്യാപിക്കുകയും ചെയ്തു. അദ്ദേഹം പിന്നെ ഇതു മറക്കുകയാണായത്. ഇന്നത്തെ നിയമമന്ത്രി ശ്രീമാൻ കുട്ടികൃഷ്ണൻ നായർ അവിടുത്തെ കൃഷിക്കാരുടേയും ജനങ്ങളുടേയും അഭിപ്രായങ്ങൾ ആരായുകയും ആ ഗ്രാമങ്ങൾക്കു ഈ നിയമത്തിന്റെ പരിധിയിൽ ഉൾപ്പെടുത്തുകയും ചെയ്യേണ്ടതാണ്. എല്ലാ റിപ്പോർട്ടുകളും ഇതിന്നു അനുഭവമായിരിക്കെ ഈ ഗ്രാമങ്ങൾക്കു ഉൾപ്പെടുത്തണം എന്ന് ആൻ വിശ്വസിക്കുന്നു."

* SRI T. NAGI REDDI:—"Sir, this is the second tenancy Bill that has come before this House for discussion. There seems to be a different approach by the Members to this Bill. When the Tanjore Tenancy Bill was discussed, there was an amount of satisfaction that a great step forward has been taken, and there was also the criticism which came out of that satisfaction. In the case of this Bill I see the difference in approach. Every hon. Member has spoken not with any satisfaction that a Bill has been brought forward for the protection of the tenants. That itself is an indication to the Government that there is something wrong with the Bill. A Bill which has been brought forward and which is said to be for the protection of tenants has not given satisfaction to those Members who are present here from Malabar, and who have spoken on the Bill. Not one of them has commented that this Bill is a step forward towards solving the tenancy problems of Malabar. That itself is an indication that this Bill will not

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satisfy any section of public opinion in Malabar. We must remember that tenancy reform has become the most necessary and immediate reform in all parts of this State. We must not tinker with the tenancy reform. We must take steps to decide the major and immediate task, namely, to stop evictions and reduce the rent that has so far been paid to the landlords. These are the two important factors that should be taken note of, and I find from the speeches of hon. Members from Malabar that these two conditions probably are not quite satisfactorily dealt with in this Bill. We all know the very big struggle in Malabar as in other areas to have a definite improvement in the tenants' condition. The present struggles are not of recent origin. They have been there for a long time—from the time of the national struggle for freedom. The tenants of Malabar were also part and parcel of the national movement for achieving freedom. The tenants of Malabar have laid down their lives for achieving national freedom. They expected that the national struggle which would give them freedom would also bring with it relief for the tenants of Malabar. We also remember that there was the huge Moplah rebellion. The rebellion was mainly to get rid of some of these slavish conditions under which they were working and suffering. Later we all know that the struggle developed into a bigger one and more than eight thousand odd Malabar compatriots laid down their lives to achieve a certain amount of tenancy reform and to better their conditions. Even to this day, I hear from my comrades that there are quite a number of persons behind the prison bars who have fought for the improvement of the conditions of tenants. These struggles must be taken note of when we think of the tenants' problems and try to bring forward a Bill to improve their conditions. I am afraid that none of these historical factors has been taken into consideration in preparing this Bill, which has not satisfied any section of opinion in this House, and naturally cannot satisfy any section of opinion outside this House. When we prepare a Bill for tenancy reform, I am sure that we cannot prepare a Bill which would be satisfactory both to the jenmis and also the tenants. It cannot be and it should not be. If it were to be so, I am sure that a tenants' Bill will not be the tenants' Bill. The tenants' Bill is to become law only to get more rights to the tenants than what they have now, which naturally means that the jenmis' rights will have to be curtailed. It does not matter whether it is the jenmis' rights or the rights of the middlemen. The hon. Member Mr. Raja from the other side was saying that even the jenmis were so much exploited to-day, and that to-day they were not to be condemned for all that had happened. Whether they are the jenmis or the middlemen, the jenmi system should go, because that is the system that has been responsible for so much poverty and revolt by the Malabar tenants. Hence we should take steps to abolish the jenmi system itself to give greater rights to the tenants. Let the Government take a better stand, and see that better protection is given to the tenants.

"A suggestion has been made by hon. Members from Malabar that it is better that all the Members of the Assembly from Malabar

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and the ministry sit and discuss together all aspects of the question and arrive at a certain working arrangement to improve the conditions of the tenants. After all, the number of Members from Malabar is about thirty, and it is certainly a good suggestion that they should all sit together and discuss the Bill. They may improve the Bill; if not scrap it, and produce a new Bill. I think that kind of working arrangement between the ministry and the Members of Malabar would help to bring forward a better Bill than the one under discussion. Sir, I hope the ministry would take into consideration all the suggestions that have been made in this House and give due weight to them to improve this Bill, and if that is not possible, I hope the Government would scrap this Bill and bring another in due course and very shortly."

* THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"Mr. Speaker, Sir, I need not reply regarding the points raised in respect of the sections not covered by the amending Bill. The first thing we have to consider is whether it is absolutely necessary to circulate this Bill for eliciting public opinion. It is not necessary, because, while moving the Bill, I submitted that on 15th March 1952 the old Act (Act of 1951) was put into effect. The matter has been engaging the attention of Government and the public of Malabar. Innumerable representations have been made to us. We have considered all the aspects of the question, and this Bill is the outcome of the consideration of all those things.

"Regarding the consideration of other sections, I may be permitted to state that the sections that we have now taken up are the most important sections. The sections which are not touched by this amending Bill are sections which require a more scientific examination, and considerations of principles or expediency cannot be applied here. Calculation of fair rent cannot be resorted to until we actually know the rent that is got in almost all the important places in Malabar. So, it is not possible to consider those things now. That is why the Government have not taken up those things. If hon. Members bring to the notice of the Government that it is necessary to examine them, and if the Members are prepared to give us sufficient time, we will examine each and every section of the Act, and try to see how much we can help the actual tiller. The bringing in of the amendment so early was necessitated, because there was a clamour—there was a real agitation and most of the Members here had even made representations—that the machinery for fixing fair rent must be scrapped. The Government implemented it, because it was a scientific method. Provision was made to meet the expense of this machinery from out of the budget allotment. But in spite of that, the people were afraid that it may take a long time, and the implementation of the scheme will take such a long time that it will not be of use either to the tenant or the landlord. It was also thought that maintaining records regarding the right to the properties contemplated by the Act was not necessary. We considered all these aspects, and it is because there was real agitation for cancelling that machinery that we resorted to cancel that machinery. Now we have given power

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1-20 to the Revenue Divisional Officers who are easily accessible. To
p.m. give this power to the District Munsif's Court to assess the market value of all these items will prove very costly to the tenants and it has been the agitation on the part of the tenants that it should not be entrusted to the Munsif's Courts because they will not be able to bear the cost. This agitation on the part of the tenants has been there for a long time. It is a matter connected more with Revenue. That is why this power is given to the Revenue Divisional Officer.

" I have also to make another submission. We have considered all the burning questions regarding Malabar tenancy with a view to revise the relevant provisions, if possible, by this new Bill. The two important things were the bona fide eviction and displacement of tenants from ulkudis. According to the previous Act, a tenant could be evicted by a landlord who was perhaps poorer than the former. We have now made a provision for the payment of one year's gross income to the tenant if he is to be evicted in these circumstances. We have made this provision so that it may be more impossible or difficult to displace the actual tiller and he may also in the meantime find out some other land for cultivation. Sir, when both are poor, merely because a man is branded as a landlord, we cannot refuse to show consideration to him. With regard to eviction, hon. Members will find that two conditions have to be satisfied by the landlord. One is the bona fides and the other is that he wants the property for his maintenance. Between two poor people, we cannot prefer one to the other. It is a moot question. If one is selected, the other will criticise and if the other is selected, the person excluded will criticise. Therefore, it is a very difficult problem.

" Regarding ulkudis, as the law stands at present, anybody could be turned out. We have, by this Bill, made it absolutely necessary to give three years' notice, if the landlord wants to evict the tenant. In the alternative, he has to give a similar site to him in the same village.

" Sir, there are innumerable things which we have done for the tenant in this Bill. I have made mention of them in my speech while introducing the Bill and I do not want to cover them over again. The Bill has gone further. It may be that it does not come up to the expectations of some of the hon. Members, but it is a real step forward. That is all I can say. We are open to conviction. Hon. Members can represent matters. They can convert us and at the Select Committee we can come to any compromise, any workable scheme, consistent with the Constitution and our responsibility to all sections of society.

" Sir, an attempt was made to point out that Harijans would be ejected on a large scale and that about 10,000 of them would be displaced from their holdings. It is an exaggeration. That is all I can say."

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SRI V. R. KRISHNA AYYAR :—“ On a point of order, Sir. May I know whether manuscript eloquence through and through is permitted? ”

MR. SPEAKER :—“ The Hon. Minister can refer to his notes.”

* THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“ It is only a piece of paper on which I have noted down the points made by the hon. Members.”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, written speeches are allowed. But, still he is not reading a written speech.”

* THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“ Sir, I am a lawyer like the hon. Gentleman who made that representation. We are in the habit of looking at the records and arguing. It does not mean that we are reading out our speeches. Most of the hon. Members here remarked that the hon. Gentleman who raised this point was also reading out his speeches. (Laughter.) It would appear to a non-lawyer that the gentleman was reading from the paper. I suppose also that there is no harm in my reading out my speech. The speech I delivered while introducing the Bill was a written one. We are entitled to make written speeches.

“ I was submitting that it was made to appear that the Harijans would be ousted from ulkudis on a large scale. It is not so. As the law stands at present, they have no fixity of tenure. If there is no document or lease deed, the tenant can be asked to quit. He might be living there only on sufferance. He can be turned out at any moment. Now, we have made a provision that three years' notice is absolutely necessary and no Harijan will be turned out within that period.

“ Regarding waste lands, it was argued by many hon. Members that there were plenty of them in Malabar and that they could be taken and used for distribution among the landless poor. I have to submit that we have already made a provision for that purpose in the previous Act. Now, we are trying to evolve a machinery through which speedy distribution could be made. The population of Malabar is too much but the lands are limited. So, these limited lands will not be sufficient to satisfy the needs of most of the landless peasants.

“ I have nothing more to say except that I oppose all the amendments because we are having a detailed consideration of all the contents of the present Bill by a Joint Select Committee. All the representations made by the hon. Members and the points made by them in their speeches here have been noted and we shall try our level best to modify the provisions consistent with the needs of the people. I can only appeal to the House to give us full co-operation. It is absolutely necessary that we should extend our full co-operation to whomsoever it might be who is running the administration.

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"Certain allegations were made about the failure of the Congress in the General Elections. I can answer them, but I think it is out of place for me and it does not become of me to answer them. I can only say that it was not the tenancy question that caused the failure of the Congress. It was due to other extraneous circumstances. If I may be permitted to say so, it was only the organisational disruption that caused the failure of the Congress in Malabar. The recent elections to municipalities have demonstrated that the Congress has a hold there."

SRI M. NARAYANA KURUP :—"What about Panchayat Elections?"

* THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—"Simply because in one place, the Socialists have won, the hon. Member thinks that in all the other places also the Socialists have won. It is not like that. I am not concerned with that and I do not want to say anything more. I may ask the hon. Member who made a reference to the failure or defeat of Sri Madhava Menon, 'What is the meaning of winning in elections?' So, I am not concerned with the result of elections. As a politician, I would ask the hon. Member not to consider this Bill in terms of elections. If he thinks of opposing the amendments to the Act in terms of elections, he will be frustrated and he will also fail in the next elections. I am not concerned with the future elections. Sir, I request that the amendments to my motion may be rejected by the House."

1-30 p.m. SRI T. C. NARAYANA NAMBIAR :—"The Hon. Minister referred to an hon. Member who said that the failure of the Congress in the election was due to the Malabar Tenancy Act. I am the fortunate Member who had said that. Even now I stand by it and I would challenge—if 'challenge' is a parliamentary word—or I would invite the Minister to contest in my constituency on this issue. It has been proved that it was due to the Malabar Tenancy Act that the Congress was defeated."

* THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—"I may be permitted to state that I have defeated Mr. E. M. Sankaran Nambudripad, the greatest leader of the Communist Party on this issue." (Ministerial cheers.)

MR. SPEAKER :—"I shall now put the amendments to the vote of the House one by one in the following order :—

- (1) Sri K. P. Gopalan's amendment,
- (2) ,, R. Krishnan's amendment,
- (3) ,, P. K. Gopalakrishnan's amendment,
- (4) ,, T. C. Narayana Nambiar's amendment, and
- (5) ,, M. Narayana Kurup's amendment.

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[Mr. Speaker]

" The question is—

' Add at the end the following :—

" and that representations from various representatives of tenants and other organizations, oral and written, be received and the report be submitted before 31st May 1953." " "

The amendment was put and lost.

MR. SPEAKER :—" The question is—

' Add at the end of the motion the words " including all Malabar M.L.A.'s and M.L.C.'s." " "

The amendment was put and lost.

MR. SPEAKER : " The question is—

' That the Malabar Tenancy (Amendment) Bill, 1953, be circulated for eliciting public opinion.' "

The amendment was put and lost.

MR. SPEAKER :—" The question is—

' That the Malabar Tenancy (Amendment) Bill, 1953, be circulated for eliciting public opinion especially from the people of Malabar and from those of the parts of the Kasargode and Gudalur taluk of South Kanara and Nilgiris districts where the Malabar Tenancy Act is in operation.' "

The amendment was declared lost.

A poll was demanded and the House divided thus.

Ayes—61.

Dr. K. B. Menon.

Sri K. Moidoo.

" M. Lakshmanaswamy.

" B. Sankaraya.

" G. Bapanayya.

" P. K. Gopalakrishnan.

" K. C. Gopalan Unni.

" K. T. Raju.

" K. P. Gopalan.

" S. Vadivelu.

" V. Madanagopal.

" S. Ramalingam.

" N. Sivaraj.

" A. K. Subbiah.

" K. V. Ramaswamy.

" T. S. Ardhanari.

" P. Venkatesha Sholagar.

" D. Seetha-amiah.

" C. H. Kanaran.

" K. Madhavan Nambiar.

" R. Krishnan.

" E. T. Kunhan.

" M. Hanumantha Rao.

" C. V. K. Rao.

" K. Rajagopala Rao.

" P. Rama Rao.

" V. Rama Rao.

" M. Narayanaswamy.

" G. Anjaneyulu.

" V. Sri Krishna.

Sri D. Lakshmayya.

" G. Nageswara Rao.

" K. Ranga Rao.

" K. Subba Reddi.

" Chandra Ramalingayya.

" G. Rama Rao.

" M. Veerabhadran.

" K. Vinayakam.

" A. Senapathi Gounder.

" V. R. Krishna Ayyar.

" K. Krishna Rao.

" A. Veloo.

" Vavilala Gopalakrishnaiah.

" Lakshminarayana Reddi.

" P. Kandaswamy Gounder.

" K. R. Sambandam.

" Saka Venkata Rao.

" T. Nazi Reddi.

" Bojja Appalasamy.

" D. Dasarathan.

" S. Vemiah.

" K. Gaja athi Reddi.

" S. S. Kolkebail.

" P. Kunhirama Kidav.

" T. C. Narayana Nambiar.

" W. Sankaranarayana Menon.

" K. T. Sridharan.

" M. Narayana Kurup.

" M. Narayana Nambiar.

" O. Koran.

" C. Kunhirama Kurup.

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Noes—89.

The Hon Sri C. Subramaniam.	Sri V. S. Sivaprakasam.
„ A. B. Shetty.	„ A. Ayyanar.
„ M. A. Manickavelu Naicker.	„ V. Muthu.
Sri K. Rajaram.	„ A. S. Subbaraj.
„ B. B. Athavatsalu Naidu.	„ G. Govindan.
„ C. Rajam Ramaswami.	„ P. S. Krishnaswamy Ayyangar.
„ P. G. Karuthiruman.	„ Ar. A. Rm. Chakkalingam Chettiar.
„ B. K. Nallaswamy.	„ P. Chellathurai.
„ S. C. Virupakshiah	„ N. Rajagopal.
„ P. G. Manickam.	„ C. Muthiah Pillay.
„ N. Mahalingam.	„ I. K. Subramania Pillai.
„ R. Kuppuswami.	„ K. T. Kosalan.
„ P. K. Thirumurthi.	„ S. Somayajulu.
„ S. R. Arumugham.	„ P. Selvaraj.
„ K. H. Bomman.	„ R. S. Arumugham.
„ M. K. Kempai Gounder.	„ N. Chenchurama Naidu.
„ M. P. Periasami.	„ P. Gopalakrishna Reddi.
„ Ardhanareswara Gounder.	„ K. Shumugam.
The Hon. Sr. K. P. Kuttikrishnan Nair.	„ P. Venkataswami Reddi.
„ Dr. R. Nagan Gouda.	„ R. B. Sudarsana Varma.
Sri N. Ramakrishna Ayyar.	„ P. Gunayya.
„ T. N. Venkata Subba Reddi.	„ K. Suryanarayana.
„ K. Koti Reddi.	„ P. Ranga Reddi.
„ M. R. Ramachandran.	„ N. Goala Menon.
„ O. Venkatasubba Reddi.	„ A. Appu.
„ T. P. Elumalai.	„ V. C. Chudamani Deo.
„ S. Panchaksharam.	„ A. Balarama Reddi.
„ H. M. J. Ganapatham.	„ K. Adikesavalu Naidu.
„ A. Ramachandra Reddiar.	„ M. Doraikannu.
„ R. Thangavelu.	„ G. Nagabhushnam.
„ M. Kandiasami Padayachi.	„ Ijari Sirasappa.
„ L. Anandn.	„ K. Kotra Basavana Goud.
„ V. Krishnaswami Padayachi.	„ N. N. Suvarna.
„ G. Vagheesan Pillay.	„ E. K. Sankara Varma Raja.
„ A. S. Sahajanandam.	„ T. Anantha Pai.
„ O. A. Nanjappa.	„ M. Jazannathan.
„ M. Marimuthu.	„ G. Latchanna.
The Hon. Sri K. Venkataswami Naidu.	„ K. Appala Naidu.
„ N. Sankara Reddi.	„ B. Gangayya Naidu.
„ D. Sanjvayya.	„ K. V. Ramesam.
„ S. B. P. Pattabhi Rama Rao.	„ K. Venkatanarayana Dora.
Srimathi Dr. T. S. Soundaram Ramachandran.	„ M. Gangappa.
Sri M. S. Maniswamy Pillay.	„ V. K. Kannan.
„ V. S. Chinnaswami Naidu.	„ Kunhi Mohamed Shaffee.
	„ G. Samia Koorayar.

Neutral—1.

Sri K. R. Viswanathan.

Ayes: 61; Noes: 89; Neutral: 1.

The amendment was lost.

MR. SPEAKER:—“The question is—

‘That the following be added at the end:—

“It shall have power to scrutinize all the sections of the principal Act.””

The amendment was put and lost.

MR. SPEAKER:—“I shall put the original motion to vote. The question is—

‘That the concurrence of the Legislative Council be obtained for setting up a Joint Select Committee of both the Houses

2nd April 1953]

[Mr. Speaker]

consisting of 24 Members (16 Members from the Assembly and 8 from the Council) to consider the Malabar Tenancy (Amendment) Bill, 1953 and that the following Members of the Assembly be nominated as Members of the Joint Select Committee :—

The Hon. Sri K. P. Kuttikrishnan Nair,

„ C. Subramaniam,

„ M. A. Manickavelu Naicker,

Sri N. Gopala Menon,

„ A. Appu,

„ E. K. Sankaravarma Raja,

„ Y. Manjaya Shetty,

„ K. Rajaram,

„ T. N. Venkatasubba Reddi,

„ V. R. Nagarajan,

„ V. Balakrishnan,

„ C. H. Kanaran,

„ T. C. Narayana Nambiar,

„ V. R. Krishna Ayyar,

„ P. Ramamurthi,

„ K. M. Seethi.' ”

The motion was put and carried.

MR. SPEAKER :—“ The House will now adjourn and meet again at 8-30 a.m. on Saturday, 4th April 1953.”

The House then adjourned.

வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

APPENDIX I.

[Vide answer to unstarred question No. 38 asked by Sri M. Narayana Kurup at the meeting of the Legislative Assembly held on 2nd April 1953, page 742 supra.]

(a) & (b) A statement showing the State-aided concerns which have defaulted in payment of their dues, the dates of default and the steps taken to recover the dues is specified below:—

Statement showing defaulted state-aided concerns.

Serial number. (1)	Defaulted state-aided concerns.		Loans sanctioned.			Instalment defaulted.		
	Name of the concern. (2)	Nature of industry. (3)	Amount sanctioned. (4)	Number of instalments in which loan is repayable. (5)	Date of completion of disbursement of loan. (6)	Number of instalments defaulted. (7)	Due date. (8)	Amount due (9)
			RS.					RS. A. P.
1	Messrs. Boddu Paidanna & Sons, Vizianagaram.	Rice and Groundnut Oil Mills.	40,000	20	28th September 1931.	19th	1st April 1951.	3,923 0 0
2	Messrs. The Metal Industries, Limited, Shoranur.	Steel Processing and Agricultural implements and cutlery.	(1) 1,00,000	10	20th July 1948.	20th	1st April 1952.	3,952 12 7
			(2) 75,000	20	20th June 1949.	2nd	1st April 1951.	12,950 8 0
						3rd	1st April 1952.	12 950 8 0
						2nd	1st August 1951.	6,018 0 0
3	Messrs. The Sudarsan Oil Mills, Limited, Katpadi.	Oil Crushing Industry (Groundnut Oil—Vanaspathi).	10,00,000	20	14th April 1949.	1st	1st June 1951.	1,51,668 0 0
4	Messrs. The Mohan Industries, Limited, T. nali.	Manufacture of bricks and tiles.	1,00,000	10	27th January 1949.	2nd	1st June 1952.	80,243 0 0
						2nd	1st June 1951.	12,951 0 0
5	Messrs. The Vegetols, Limited, Chittoor.	Vanaspathi industry.	5,00,000	20	14th March 1949.	3rd	1st June 1952.	12,951 0 0
						1st	1st September 1951.	47,491 5 8
						2nd	1st March 1952.	41,797 4 7
						3rd	1st October 1952.	40,961 14 0
6	Sri Narayanappa, Sri Narayana Tile Works, Hosur.	Manufacture of bricks and tiles.	5,000	10	10th June 1949.	3rd	1st July 1952.	647 8 0

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APPENDIX

7	Messrs. Madras Vanaspathi, Limited, Madras.	Vanaspathi industry.	10,00,000	10	12th June 1950.	1st 2nd	1st June 1952. Do.	1,79,897 1,29,505	0 0	0 0
8	Messrs. Sri Swarna Industrial Engineering Works, Vijayavada.	Industrial Engineering.	20,000	20	15th July 1950.	2nd	15th July 1952.	1,605	0	0
9	Messrs. Pakanadu Oil Mills, Limited, Natham Kandrigai Nagari.	Oil Milling industry.	40,000	20	7th November 1949.	3rd	1st December 1952.	3,210	0	0
10	Srimathi Gajalakshmi Amma, Messrs. Thanigai Murugan Metal Wrks, Limited, Satarawada.	Metal works.	25,000	20	21st March 1950.	2nd	1st April 1952.	2,006	0	0
11	Messrs. The Hindupur Vegetable Oils and Refineries, Limited, Hindupur.	Vanaspathi industry.	2,00,000	20	28th February 1950.	2nd	15th September 1952.	16,450	4	0
12	Messrs. The Guntur Vegetable Oil Industries, Limited, Guntur.	Do.	1,30,000	15	8th May 1950.	2nd	15th May 1952.	12,525	0	0
13	Messrs. The South India Carbonic Gas Industries, Limited, Madras.	Manufacture of carbonic gas.	1,00,000	10	24th September 1951.	1st	1st November 1952.	13,375	0	0
14	Messrs. The National Lime Works, Limited Panyam.	Manufacture of lime, etc.	10,000	10	12th July 1950.	2nd	1st August 1952.	1,295	0	0
15	Messrs. Iris Manufacturers, Limited, Madras.	Toys manufacturers ..	40,000	10	2nd August 1950.	2nd	16th August 1952.	5,180	0	0
16	Sree Venkateswara Paper and Straw Board Mills, Tirupati.	Paper and straw board industry.	2,50,000	20	18th November 1949.	..	..	Entire loan amount.		
17	Messrs. The Vasant Soap Works, Limited, Vijayavada.	Soap manufacture ..	1,25,000	20	10th June 1950.	2nd	1st July 1952 ..	10,030	0	0
18	Messrs. The Virudunagar Textile Mills, Limited, Madras.	Textile industry ..	3,50,000	15	19th January 1951.	1st	1st December 1952.	30,059	15	0
19	Messrs. Purnima Straw Board and Paper Mills, Limited, Moodabidri.	Paper and straw board industry.	80,000	15	Only Rs. 40,000 disbursed on 4th December 1951 and the remaini g loan of Rs. 40,000 was cancelled.			Entire loan amount.		

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Serial number.

Payment made, if any, Balance amount due.
with dates.

Other dues.

Remarks.

	(10)	(11)	(12)	(13)
		RS. A. P.		
1	Rs. 1,000 on 28th March 1952, Rs. 500 on 10th October 1952 and Rs. 500 on 4th November 1952.	1,327 5 0	Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 1,327-5-0 from 5th November 1952.	The Collector, Visakhapatnam, was first addressed to recover the 19th and 20th instalments as provided for under section 18 (1) of the Madras State Aid to Industries Act. He is taking necessary steps for the recovery of the balance amount and the other dues.
2	..	3,952 12 7	Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 3,952-12-7 from 1st April 1952.	
	Entire loan—		(1) Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 12,950-8-0 from 1st April 1951.	As the borrower had utilized the loans for unauthorized purposes, and also had unauthorizedly sold a part of the assets hypothecated to Government, and had defaulted in payment of the instalments, the entire loan amounts sanctioned to the company were ordered to be recovered as arrears of land revenue. The Collector of Malabar has attached the properties of the company and is taking steps to bring them to sale for the recovery of the amounts due to Government.
	12,950 8 0		(2) Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 12,950-8-0 from 1st April 1952.	
	12,950 8 0		(3) Simple interest at 5 per cent per annum on Rs. 74,936 from 1st April 1952.	
	74,936 0 0		(1) Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 6,018 from 1st August 1951.	
	1,00,837 0 0		(2) Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 6,018 from 1st August 1952.	
	Entire loan—		(3) Simple interest at 5 per cent per annum on Rs. 70,351 from 1st August 1951.	
	6,018 0 0		(1) Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 34,776-14-0 from 6th March 1952.	As the company had defaulted in payment of the instalments, had unauthorizedly sold a part of the assets hypothecated to Government and had failed to renew the insurance of the assets of the company hypothecated to Government, it has been recommended to Government that the entire loan be foreclosed. Government orders have been received according to the aforesaid recommendation and the Collector, Vellore, is being addressed for recovery of the entire loan amount from the borrower under section 18 of the Madras State Aid to Industries Act.
	6,018 0 0		(2) Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 80,243 from 1st June 1952.	
	70,351 0 0		(3) Rs. 3,515-10-0 being the expenditure incurred towards the renewal of Fire Insurance policy of the Company by Government.	
	80,337 0 0			
3	Rs. 80,000 on 3rd July 1951, Rs. 4,000 on 13th August 1951 and Rs. 37,425 on 6th March 1952 (towards interest).	34,776 14 0		
	..	80,243 0 0		

Entire loan amount—		
12,951	0	0
12,951	0	0
74,934	0	0
1,00,36	0	0

- (1) Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 12,951 (second instalment) from 1st June 1951.
- (2) Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 12,951 (third instalment) from 1st June 1952.
- (3) Simple interest at 5 per cent per annum on the balance of principal Rs. 74,934 from 1st June 1952.
- (4) Rs. 463-12-0 being the expenditure incurred by Government towards the renewal of the Fire Insurance Policy of the concern (sanctioned in G.O. Ms. No. 2300, Development, dated 29th May 1952).

Government have directed the recovery of the entire loan. The Collector, Guntur, has been requested to institute recovery proceedings against the company under section 18 (1) of the Madras State Aid to Industries Act. In his letter, dated 29th December 1952, the Collector has requested for instructions in regard to the attachment of the concern's properties. Government have been addressed to direct the Collector to expedite the recovery proceedings.

4,52,331	0	9
47,491	5	8
41,797	4	7
40,961	14	0
5,82,581	9	0

- (1) Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 47,491-5-8 from 1st September 1951.
- (2) Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 41,797-4-7 from 1st March 1952.
- (3) Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 40,961-14-0 from 1st October 1952.
- (4) Simple interest at 5 per cent per annum on Rs. 4,52,331-0-9 from 1st May 1952.

The Collector, Chittoor, has been addressed to institute recovery proceedings against the borrower company for the recovery of the entire loan amount as they have failed to repay the instalment amounts in spite of several extensions of time granted to them.

647 8 0

- (1) Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 647-8-0 from 1st July 1952.
- (2) Rs. 46 14-0 being the insurance premium expended by Government towards the renewal of the Fire Insurance Policy.

The Collector, Salem, has been asked to institute recovery proceedings under section 18 (1) of the Madras State Aid to Industries Act and he was last reminded on 30th December 1952. The Collector is taking necessary steps for the recovery of the amounts.

1,88,677	0	0
1,29,505	0	0
3,18,182	0	0

- Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 3,18,182 from 1st June 1952.

The request of the company for the extension of time for the repayment of the instalments was placed before the Board of Industries at its 11th meeting held on 12th January 1953 and the Board's recommendations are under the consideration of the Government.

Payment made, if any,
with dates.

(10)

(11)

RS. A. P.
1,605 0 0

Other dues.

(12)

Remarks.

(13)

8

..

Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 1,605 from 15th July 1952.

The Collector, Krishna, has been addressed for the recovery of the instalment amount under section 18 (1) of the Madras State Aid to Industries Act.

9

..

3,210 0 0

(1) Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 3,210 from 1st December 1952.
(2) Rs. 818-12-0 being the unutilized balance of amount of the loan.

(1) The concern has requested for the postponement of the repayment of the third instalment amount and their request is under consideration.
(2) The Collector, Chittoor, has been asked to institute recovery proceeding against the concern under section 18 (1) of the Madras State Aid to Industries Act for the recovery of the balance unutilized amount of the loan.

10

..

2,006 0 0

(1) Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 2,006 from 1st April 1952.
(2) Rs. 18,827 being the unutilized balance portion of the loan amount.
(3) Rs. 81-5- towards the expenditure incurred by Government towards the renewal of the Fire Insurance Policy of the concern till 3rd December 1952.
(4) Rs. 81-5-0 towards the premium for the renewal of the Fire Insurance Policy till 3rd June 1953.

The Collector, Chittoor, was asked first for the recovery of the dues under section 18 of the Madras State Aid to Industries Act. The request of the borrower for stay orders is under consideration of the Government.

11

..

16,450 4 0

Simple interest at 5 per cent per annum on Rs. 16,450-4-0 from 15th March 1952 to 15th March 1953.

Government have permitted the concern to repay the instalment amount on 15th March 1953.

12

..

12,525 0 0

Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 12,525 from 15th May 1952.

The Collector, Guntur, has been asked to recover the dues under section 18 of the Madras State Aid to Industries Act. The Collector has reported that the concerned Tahsildar is taking necessary steps for the recovery.

13	..	13,375 0 0	Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 13,375 from 1st November 1952.	The concern has requested for the postponement of the repayment of the instalment by one year and the matter is under consideration.
14	..	1,295 0 0	Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 1,295 from 1st August 1952.	The Collector, Kurnool, was asked to institute recovery proceedings against the concern for the recovery of the amounts due under section 18 (1) of the Madras State Aid to Industries Act.
15	..	5,180 0 0	Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 5,180 from 16th August 1952.	The concern has promised to the Director of Industries and Commerce to repay the amount within a week. The remittance is awaited.
16	..	..	Rs. 375 being the insurance premium towards the renewal of the Insurance Policy of the concern and all other charges such as wages to watchmen etc., incurred by Government.	Under liquidation. The Official Liquidator is taking steps to dispose of the assets of the borrower company and to recover the dues to Government.
17	..	10,030 0 0	Penal interest at $7\frac{1}{2}$ per cent per annum on Rs. 10,030 from 1st July 1952.	The Collector, Krishna, was asked to recover the amounts under section 18 (1) of the Madras State Aid to Industries Act.
18	(1) Rs. 6,447-3-0 on 9th December 1952 towards interest. (2) Rs. 1,220 on 12th January 1953 towards principal. (3) Rs. 14,049-15-0 on 12th January 1953 towards interest.	15,000 0 0	Penal interest on Rs. 15,000 from 12th January to 1st March 1953.	The company have requested for the extension of time for the repayment of the balance amount due for six months. But they are being requested to repay the balance amount due with penal interest along with the second instalment amount which falls due on 1st March 1953.
19	..	..	..	The Collector, South Kanara, was asked to recover the entire loan amount of Rs. 40,000 disbursed from the concern under section 18 (1) of the Madras State Aid to Industries Act, as the concern has failed to utilise the loan for the purpose for which it was granted. The Collector has instituted necessary proceedings which are in progress.

APPENDIX II.

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[Vide answer to unstarred question No. 41 asked by Sri M. Rajeswara Rao at the meeting of the Legislative Assembly held on 2nd April 1953, page 743 supra.]

The number of candidates from West Godavari district belonging to Harijans, Harijan Christians and others admitted to the Government Colleges during 1946-51 and 1951-52 is given below :—

Number of students admitted in																	
Year.	Madras Medical College.				Stanley Medical College.				Andhra Medical College.				Guntur Medical College.				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	
	Total.	Harijans.	Harijan Christians.	Others.	Total.	Harijans.	Harijan Christians.	Others.	Total.	Harijans.	Harijan Christians.	Others.	Total.	Harijans.	Harijan Christians.	Others.	
1946-47	2	..	..	2	1	..	..	1	3	..	..	3	4	..	1	3	
1947-48	1	..	..	1	1	..	..	1	4	..	1	3	1	..	..	1	
1948-49	..	..	..	..	..	..	..	..	6	1	..	5	..	..	..	..	
1949-50	..	..	..	..	..	..	..	..	7	1	..	6	..	..	..	..	
1950-51	..	..	..	..	..	..	..	..	3	..	2	1	1	..	..	1	
1951-52	..	..	..	..	..	..	..	..	5	1	..	4	..	..	..	..	

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APPENDIX III.

[Vide answer to unstarred question No. 47 asked by Sri K. Krishna Rao at the meeting of the Legislative Assembly held on 2nd April 1953, page 746 supra.]

List of problems the Economic Adviser to Government and the Officers under him are at present engaged in investigating.

(i) Test pilot survey of the Tungabhadra Project area at the instance of the Central Water Power and Navigation Commission through Chief Engineer (Tungabhadra Project).

(ii) An enquiry into Farm Yard Manure Production in Chingleput district.

(iii) Amplification of the Scheme of Crop Insurance on the lines of Mutual Relief Association with the recent United States and Japanese experience in this sphere.

(iv) Finalisation of the report on the enquiry into the Socio-Economic effects of Prohibition in Madras State.

(v) Enquiry into the Middle Class Family Budgets with the object of constructing and maintaining a special series of Cost of Living Index numbers.

(vi) Enquiry into the Agricultural Wages for the fixation of Minimum Wages under the Minimum Wages Act on behalf of Development Department.

(vii) Assessment of the Social Services in Madras State.

(viii) A special study of the consumption goods industries which could be started in Madras State with an invested capital of Rs. 5 lakhs or less.

(ix) A survey of Cottage Industries.

(x) Construction of Building Materials Index Numbers.

(xi) Revision of the Cost of Living Index numbers to give due allowance for changes in prices of commodities due to seasonal factors.

(xii) An enquiry into the prices of foodgrains in the areas affected by drought that would be within the reach of the distressed population for Board of Revenue to be finally forwarded to Economic and Statistical Adviser, Ministry of Food and Agriculture, Government of India.

(xiii) The trend of the size of holdings classified on the basis of assessment in the past 50 years.

(xiv) Graphic representation of the Development projects under the Five Year Plan on behalf of Development Department.

(xv) Quinquennial Wages Census of 1951.

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(xvi) Report on the Labour conditions in the Inland Transport Services for the International Labour Organisation at the instance of Government of India.

(xvii) A survey into the Cost of Production of Crops in Madras State on behalf of Food and Agriculture Department.

(xviii) Survey of Livestock population in South Arcot district, an exploratory survey undertaken in South Arcot district to examine how far the Livestock population estimated on the basis of the figures of 15 per cent of the villages selected at random in a district would give reliable results.

(xix) A survey of the economic utilities of Palmyra Palm in Madras State.

(xx) Preparation of a scheme for the survey of Cost of Cultivation of Sugarcane in nine districts having largest areas under sugarcane at the instance of Food and Agriculture Department.

(xxi) Indices of Agricultural prosperity.

(xxii) Estimates of the Agricultural Credit Requirements of Madras State.

(xxiii) State Finances in relation with the Centre.

(xxiv) A pilot survey for the census of agricultural holdings sponsored by Government of India.

(xxv) Problems of implementation of the agricultural plan of the Five Year Plan.

(xxvi) A review of Land Reform Legislation since 1945 in Madras and other States.

(xxvii) Role of Agricultural Economics in the Development of Agriculture.

(xxviii) Recent Developments in the } Papers to be read at
theory of Welfare Economics. } the thirty-fifth ses-

(xxix) Decontrol of Food. }

(xxx) Measurement of Productivity } Economic Conference,
in Indian Industry. } Decmeber 1952.

(xxxi) Incidence of Taxation in India.

(xxxii) Economic Appraisal of Development Projects by the application of the principle of the Benefit-Cost Ratio.

(xxxiii) Preparation of a scheme for a scientific assessment of the benefits accruing from Famine Relief Works to the distressed population in Chittoor district for Revenue (Famine Relief) Department.

(xxxiv) Irrigation Rates *vis-a-vis* changes in value of money.

(xxxv) Organization and working of Government undertakings in Madras State

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APPENDIX IV.

[Vide answer to unstarred question No. 48 asked by Sri K. Krishna Rao at the meeting of the Legislative Assembly held on 2nd April 1953, page 746 supra.]

The names of the dailies in which the advertisements of the various departments of the State Government are sent for publication :—

English—

- 1 The Hindu.
- 2 The Indian Express.
- 3 The Mail.
- 4 The Indian Republic.
- 5 The Statesman, Calcutta.
- 6 The Amrita Bazaar Patrika, Calcutta.
- 7 The Times of India, Bombay.
- 8 The Pioneer, Lucknow.
- 9 The Indian Nation, Patna.
- 10 The Hindustan Times, New Delhi.
- 11 The Deccan Herald, Bangalore.
- 12 The Hindustan Standard, Calcutta.
- 13 The Samaj, Cuttack.
- 14 The Free Press Journal, Bombay.
- 15 The Bombay Chronicle, Bombay.
- 16 The Praja Thanthra, Cuttack.
- 17 The Ceylon Times, Ceylon.
- 18 The National Herald, Lucknow.
- 19 The Deccan Chronicle, Secunderabad.
- 20 The Bharat, Bombay.
- 21 The Nagpur Times, Nagpur.
- 22 The Indian News Chronicle, Delhi.
- 23 The New Orissa, Cuttack.
- 24 The Eastern Review, Cuttack.
- 25 The Ceylon Daily News, Ceylon.
- 26 The Rangoon Times, Rangoon.
- 27 The Eastern Times, Cuttack.
- 28 The Hitawada, Nagpur.
- 29 The National Standard, Bombay.

Tamil—

- 1 The Dinamani.
- 2 The Swadesamitran.
- 3 The Bharat Devi.

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Tamil—*cont.*

- 4 The Thanthi Group.
- 5 The Nava India, Coimbatore.
- 6 The Tamil Nadu, Madurai.
- 7 Muslim.

Telugu—

- 1 The Andhra Patrika.
- 2 The Andhra Prabha.

Malayalam—

- 1 The Mathrubhumi, Kozhikode.
- 2 The Powrasakthi, Kozhikode.
- 3 The Malayala Manorama, Kottayam.
- 4 The Chandrika, Kozhikode.
- 5 The Deepika, Kottayam.
- 6 The Malayala Rajyam, Quilon.
- 7 The Kerala Kaumudi, Trivandrum.
- 8 The Gomathi, Tiruchur.

Kannarese—

- 1 The Samyuktha Karnatak, Hubli.
- 2 The Nava Bharat, Mangalore.
- 3 The Nava Yuga, Hubli.
- 4 The Visva Karnatak, Bangalore.

Urdu—

- 1 The Azad Naujawan.
- 2 The Hamdard, Hyderabad.
- 3 The Mushee-i-Deccan, Hyderabad.
- 4 The Mussalman, Madras.

APPENDIX V.

[Vide item II on page 746 supra]

Prime Minister's Statement on Andhra.

The following is the text of the statement made by the Prime Minister in the House of the People to-day (March 25, 1953) in regard to the establishment of the Andhra State.

On December 19, 1952, I informed this House that the Government of India had decided to establish an Andhra State, consisting of the Telugu-speaking areas of the present Madras State, but not including the City of Madras, and that the Government were appointing Mr. Justice K. N. Wanchoo, Chief Justice of the Rajasthan High Court, to consider and report the financial and other implications of this decision and the questions to be considered in implementing it.

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Mr. Justice Wanchoo conducted this enquiry and presented his report on the 7th February 1953. A copy of this report is placed on the table of the House. Other copies will be available to Members.

Government have given the most careful consideration to Mr. Justice Wanchoo's report and to the other matters connected with the establishment of the Andhra State. Some of these matters, more especially those relating to financial implications and the effect on the services, require further detailed consideration which they are receiving. There are, however, certain questions of a political nature, which have given rise to some controversy, and which have to be decided immediately so that further progress may be made. In regard to these, the Government have arrived at certain decisions.

The basic considerations which have to be kept in view are that an Andhra State has to be established and that it should consist of the Telugu-speaking areas of the present Madras State. Further that the City of Madras is not to be included in the proposed Andhra State. The Andhra State, therefore, is to consist of what might be called the undisputed Telugu-speaking areas of the present Madras State. At a subsequent stage, as I shall indicate later, a Boundary Commission or Commissions may have to be appointed to determine the exact boundaries of this new State. As this investigation might involve some delay, it is desirable that the State should be constituted as early as possible on the basis of existing boundaries of the districts except, in one case, where the boundary might be according to taluks.

The Andhra State will consist of the following eleven districts :—

- (1) Srikakulam.
- (2) Visakhapatnam.
- (3) East Godavari.
- (4) West Godavari.
- (5) Krishna.
- (6) Guntur.
- (7) Nellore.
- (8) Kurnool.
- (9) Anantapur.
- (10) Cuddapah.
- (11) Chittoor.

It will also consist of a part of Bellary district as I shall indicate later.

It is clear that the Capital of the Andhra State has to be in the territory of the new State. The Government are of opinion that the site of this Capital should be determined by the Andhra people themselves through their Legislative Assembly.

A question has arisen about the temporary Capital of the Andhra State till adequate arrangements are made for the functioning of

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the permanent Capital. It has been suggested that there is some convenience in this temporary Capital being located in the City of Madras. While it is true that certain conveniences in regard to accommodation, etc., will result from this temporary location in the City of Madras, there are important and, in the opinion of the Government, overriding considerations against this proposal. It is desirable that, right from the inauguration of the new State, it should have its political headquarters in the State itself and should be enabled to function as a complete unit, freely and unhampered by any other considerations. The full integration and progress of the new State will thus be facilitated and any possible friction and complications, which might arise from the temporary location of the Capital in the territory of another State, would be avoided. The location of the political Capital of the Andhra State in Andhra territory, right from the commencement, will also result in the development of normal and co-operative relations between the new State and the residuary State.

The Government, therefore, are of opinion that the temporary Capital of the Andhra State should be located in the Andhra territory. This means that the seat of the Governor, the Ministers and the Legislature should be located in the territory of the new Andhra State. The decision as to the site of this temporary Capital should be left to the Andhra people themselves and may be taken by the Andhra Members of the Madras Legislature, who are likely, at a later stage, to form the Legislative Assembly of the new State. This decision should be indicated to the Government of India by the beginning of July 1953.

While the Capital of the State should be located within the territory of the new State from the date of the inauguration of that State, it is not necessary that all the offices pertaining to the Andhra State should also be transferred to the territory of the new State from that date. Some offices of the Andhra State might continue to be located in the City of Madras till arrangements are made for their transfer to Andhra territory. The Government are assured that the residuary State of Madras will make every effort to accommodate such offices.

The new Andhra State will be inaugurated on October 1st, 1953, which is considered a suitable and convenient date for this purpose.

It should be clearly understood that any proposals involving financial assistance from the Central Government would require the approval of the Central Government and would depend upon the capacity of the Central Government to render help. Therefore, any decision about the Capital or any other matter involving financial assistance would require the approval of the Central Government in so far as that financial assistance is concerned.

The Andhra Legislature, after the inauguration of the new State, should decide upon the location of the High Court within the territory of the new State. Till such decision is taken, the present Madras High Court will continue to function also as the

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High Court of the Andhra State. During this period, certain necessary conventions may be observed in regard to the administrative side of the High Court relating to Andhra as well as such other matters as may be considered necessary.

The Legislature of the Andhra State will consist of one Chamber only, that is, the Legislative Assembly, and there will be no second Chamber. As regards the residuary State of Madras, it should be left to that State to decide the future of its second Chamber.

The Members elected to the present Madras Legislative Assembly from the areas which would form part of the new Andhra State, should constitute, to begin with, the new Andhra State Legislative Assembly.

The case of Bellary district has to be considered specially and it cannot be treated as a single unit for attachment to any State. It is bilingual and a considerable part of it has a clear majority of Kannada-speaking people. There are at present ten taluks in this district. Six of these taluks, namely, Harpanaballi, Hadagalli, Hospet North, Hospet South, Sandur and Siruguppa, have, each of them, a very large Kannada-speaking population. Three taluks, namely, Adoni, Alur and Rayadrug, have each a large majority of Telugu-speaking people. The remaining taluk of Bellary has a very mixed population and there are certain other factors also to be considered. The Government have, therefore, come to the conclusion that the three taluks of Adoni, Alur and Rayadrug should form part of the new Andhra State and the six Kannada-speaking taluks mentioned previously should form part of the Mysore State. In regard to Bellary taluk, Government propose to consider the matter further and come to a decision later.

One part of the Tungabhadra Project is situated in Hospet North taluk. The other part of it is in Hyderabad State. That part of the project in Hospet North taluk will thus be in Mysore State after the establishment of the Andhra State. This great project will feed not only those areas which go to the Mysore State but also some areas in Andhra State. Both these States will be especially interested in this scheme. Special arrangements should, therefore, be made for the joint control and supervision of the project by the States concerned in co-operation with the Central Government. The Ministry of Irrigation and Power will, in consultation with the Ministry of Finance, the Planning Commission and the States concerned, work out the necessary financial and other arrangements and prepare a scheme for the purpose. Till the date of inauguration of the new State, the Madras Government will continue the work on the Tungabhadra Project, as before. From the 1st October, the States concerned will manage it with the assistance of the Central Government, in accordance with the scheme drawn up therefor. It is desirable that the work on the project should be continued under the present set-up till it is completed.

A Boundary Commission or Commissions will be appointed some time after the establishment of the Andhra State to determine

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the exact boundaries of that State and to recommend such adjustments as may be considered necessary in regard to the boundaries of that State with the residuary State of Madras and the Mysore State.

The question of services and the financial implications of the formation of the Andhra State will be considered separately later. As far as possible the officers now serving in the Andhra area should continue. A committee of senior officers of the present Madras Government should, in consultation with an officer appointed by the Central Government, consider the adjustments that might be necessary between the Andhra State and the residuary State of Madras in respect of the services.

Legislation to give effect to the decision to form an Andhra State will be undertaken during the next session of Parliament. Before the introduction of such legislation, the views of the State Legislatures concerned will be obtained, as required under Article 3 of the Constitution.

Government earnestly trust that the creation of this new State, so long desired by the people of Andhra, will take place in a spirit of friendly co-operation between all the people concerned, so that the State might start under the most favourable auspices and lead to the progress and happiness of its people. The formation of the new State should not and will not come in the way of the cultural life of the City of Madras in which the people of Andhra have had such a great share. Full assurances have already been given by those in a position to give them that educational, hospital and other facilities will continue to be open to the Andhras in Madras City.

I earnestly hope that the controversy which has accompanied this issue of the formation of the Andhra State, will now end and our united efforts will be directed to the successful establishment and working of this State.